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## South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 21st October 2015**.

(5.00 pm - 9.35 pm)

**Present:**

**Members:** Councillor Carol Goodall (Chairman)

Jason Baker	Sue Osborne
Mike Best	Ric Pallister
Amanda Broom	Garry Shortland
Dave Bulmer	Angie Singleton
Val Keitch	Andrew Turpin
Jenny Kenton	Linda Vijeh (left between 6.00pm and 7.30pm)
Paul Maxwell	Martin Wale

**Officers:**

Andrew Gillespie	Area Development Manager (West)
Greg Venn	Conservation Officer
Adron Duckworth	Conservation Manager
Martin Woods	Assistant Director (Economy)
David Norris	Development Manager
David Julian	Economic Development Manager
Alice Knight	Welfare & Careline Manager
Andrew Gunn	Area Lead (West)
Mike Hicks	Planning Officer
Paula Goddard	Senior Legal Executive
Jo Morris	Democratic Services Officer

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

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### 45. Exclusion of the Press and Public (Agenda Item 1)

**RESOLVED:** that the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

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### 46. Historic Buildings at Risk (Confidential) (Agenda Item 2)

The Conservation Officer summarised the agenda report, which outlined the work of the Conservation Team in respect of historic buildings at risk and updated members on current cases in Area West. The Committee was asked to note and comment on the report.

The Conservation Officer, with the aid of photographs, then detailed a number of examples of case work relating specifically to historic buildings at risk in Area West.

The Conservation Officer responded to members' questions on points of detail regarding specific cases.

Members requested a further update report in about six months' time with the agreement of the Chair.

**NOTED.**

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**47. To approve as a correct record the Minutes of the Previous Meeting held on 16th September 2015 (Agenda Item 3)**

The minutes of the meeting held on 16<sup>th</sup> September 2015, copies of which had been circulated, were taken as read and, having been approved were signed by the Chairman as a correct record of the proceedings.

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**48. Apologies for Absence (Agenda Item 4)**

An apology for absence was received from Councillor Marcus Barrett.

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**49. Declarations of Interest (Agenda Item 5)**

Councillor Jenny Kenton declared a personal interest in Agenda Item 10, South Somerset Careline Annual Report 2014/15, as her mother was a user of the service.

Councillor Dave Bulmer declared a personal and prejudicial interest in Planning Application No. 15/03187/FUL, as his partner owned land adjacent to the application site. He left the room during consideration of the item.

Councillor Sue Osborne declared a personal interest in Planning Application Nos. 15/03635/FUL and 15/03263/S73A, as the ward member.

Councillor Sue Osborne declared a personal interest in Planning Application No. 15/03187/FUL, as she was a member of the Countryside Management Steering Group which oversees Chard Reservoir.

Councillor Garry Shortland declared a personal and prejudicial interest in Planning Application No. 15/02097/FUL, as he was a friend of the applicant's son. He left the room during consideration of the application.

Councillors Jason Baker, Amanda Broom, Dave Bulmer and Garry Shortland declared personal interests in Planning Application Nos. 15/02097/FUL and 15/03187/FUL, as members of Chard Town Council.

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## 50. Public Question Time (Agenda Item 6)

The Committee was addressed by Mr David Laughton with reference to free car parking for Chard. He asked the Committee to support Chard Town Council's recommendation of wholeheartedly supporting the public led campaign to introduce a period of two hours free parking per day in Chard. He referred to the petition on the internet which showed that 600 people per in favour of its introduction.

In response, the Assistant Director (Economy) referred to the motion submitted to Full Council in July. The Council agreed to investigate a change to the Council Car Parking Policy to enable an initial free period of up to 2 hours of parking to be made available, where parking is currently charged at a timed rate. He advised that viability work was underway and nearing completion and that a report was likely to be considered by District Executive and Full Council in the autumn.

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## 51. Chairman's Announcements (Agenda Item 7)

There were no announcements from the Chairman.

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## 52. Area West Committee - Forward Plan (Agenda Item 8)

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

Members were content to note the Forward Plan as attached to the agenda.

**RESOLVED:** That the Area West Committee Forward Plan be noted as attached to the agenda.

*(Resolution passed without dissent)*

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## 53. Update Report on Chard Regeneration Scheme (Agenda Item 9)

The Assistant Director (Economy), Economic Development Manager and the Development Manager gave a detailed presentation updating members on progress made with the Chard Regeneration Scheme. With the aid of powerpoint slides members were updated on the following aspects:

- Town Centre – current position
- CEDA and unlocking the growth area
- Funding Bids
- Site by site progress

*(A copy of the presentation slides are attached to these minutes for information.)*

The Committee was addressed by Helen Lock. She raised concerns over delivery of sites now that the Local Plan was considered out of date. She also questioned what affect the new ruling on social housing would have on developers. She also sought clarification with regard to Persimmon's interest in the bottom part of the site.

In response, the Development Manager explained that although the Council could not demonstrate a five year land supply, this didn't make the Local Plan out of date it just meant that some policies within the Plan were considered to have less weight attached to them. He confirmed that provision of affordable housing would be more expensive to the developers and that the target would be more challenging to achieve. He explained that Persimmon had focussed on the site that they felt was most deliverable, however this wouldn't impact on the development to the north of the land.

During the ensuing discussion, Officers noted the comments of members and responded to questions on points of detail. Members were informed of the following:

- The amount available for government infrastructure schemes would be announced in the Autumn Statement. The Chard Infrastructure Project had been placed as a high priority by SSDC. The bid would cover 900m of roadway and 2km of cycleway. An announcement on successful schemes would be made in early 2016;
- With regard to the timeframe of the agreement with Henry Boot, members were advised that an extension could be considered as long as Henry Boot was sufficiently advanced in meeting all conditions of the agreement. If it transpired that the scheme was not moving forward within a year before April 2017, alternative options would be pursued.

The Chairman thanked the Officers for attending the meeting.

Members were content to note the contents of the report and presentation.

**RESOLVED:** That the contents of the report be noted.

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#### **54. South Somerset Careline Annual Report 2014/15 (Agenda Item 10)**

The Careline & Welfare Manager introduced her report and advised Members that the Careline service had over 2,000 customers across South Somerset and had been running for 33 years. The Team was based at Petters House with a control centre at Sedgemoor District Council. She drew Members attention to the other services provided which included telecare, smoke detectors and door sensors. She explained that people received the service free of charge for 6 weeks when they come out of hospital and that 60% of these people continued to keep the service. She highlighted that Area West had the highest number of customers. She said that she was keen to expand the service and asked Members to promote the service to residents.

During the ensuing discussion, the Careline & Welfare Manager noted the comments of members and responded to questions on points of detail. Members were informed that:

- The reason for customers leaving the service was always recorded. She was keen to promote the service so that people received the service earlier when they needed it rather than after the need for it;
- A member felt that the service should be promoted to young people and queried whether they would receive an allowance. In response, the Careline & Welfare Manager advised that there was a discounted rate for people in receipt of the means tested benefits;

- In terms of marketing the service, the Careline & Welfare Manager was looking to promote the service using facebook and radio;
- Members voiced their support for the service which allowed independence, comfort and security for users of the service.

The Chairman thanked the Careline & Welfare Manager for attending and providing an informative update report.

**RESOLVED:** That the South Somerset Careline Annual Report 2014/15 be noted.

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## **55. Work of the Conservation Service (Agenda Item 11)**

The Conservation Manager introduced his report and with the aid of a powerpoint presentation outlined the role and work of the Conservation Team. Members were informed of the following:

- The aim of the team was to provide specialist advice on the built and natural environment to the Council and particularly to the planning service;
- The role of the Landscape Architect included giving advice on the landscape impact of development proposals and mitigation measures including input to appeals;
- The Tree Officer gave advice on development proposals in relation to trees and undertook enforcement casework, was responsible for making Tree Preservation Orders (TPO) and negotiating proposals affecting TPO and conservation area trees;
- Work undertaken by the Ecologist included reviewing planning applications flagged through the Somerset Environmental Record Centre Bioplan screening service and advising on potential impact on protected sites and species; and negotiating mitigation measures;
- Officers gave building conservation advice on applications on listed buildings and in conservation areas, undertook conservation area reviews and appraisals, gave conservation advice to building owners, applicants and planning officers and negotiation of listed building consent;
- Recent work included landscape and historic environment input to the Local Plan Enquiry, continuing negotiations for major residential sites in Ilminster and Crewkerne, listed curtilages of 60 parishes mapped and promoting listing of 24 war memorials;
- The future work programme to include landscape and Heritage Strategies for Local Development Scheme, complete mapping of listed curtilages and continuing to work to resolve listed building at risk cases.

The Chairman thanked the Conservation Manager for attending the meeting.

**RESOLVED:** That the report be noted.

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## **56. Making It Local Executive Committee (Executive Decision) (Agenda Item 12)**

Members were asked to consider appointing an SSDC representative to the Making It Local Executive Group.

**RESOLVED:** That Councillor Martin Wale be appointed as the SSDC representative on the Making It Local Executive Group.

(Voting: 12 in favour)

**Reason:** To appoint an SSDC representative to the Making It Local Executive Committee.

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**57. Area West - Reports from Members on Outside Organisations (Agenda Item 13)**

**Crewkerne Leisure Management (Aqua Centre)**

Members noted the report by Cllr. Angie Singleton updating members on Crewkerne Leisure Management.

**Meeting House Arts Centre, Ilminster**

Members noted the report by Cllr. Val Keitch updating members on the Meeting House Arts Centre, Ilminster.

**NOTED.**

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**58. Planning Appeals (Agenda Item 14)**

The Committee noted the details contained in the agenda report, which informed members of an appeal that had been received.

**NOTED.**

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**59. Schedule of Planning Applications to be Determined by Committee (Agenda Item 15)**

Members noted the Schedule of Planning Applications to be determined by the Committee.

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**60. Planning Application 15/03635/FUL - 49 Church Street, Winsham (Agenda Item 16)**

***Application Proposal: Construction of dormer window to rear roof slope (Retrospective Application)***

The Planning Officer introduced the report and with the aid of slides and photographs summarised the details of the application as set out in the agenda. The key considerations were impact on the conservation area and the statutory duty to 'preserve or enhance'. There were no updates to the report. The Planning Officer's report was for refusal.

In response to questions from Members, the Planning Officer confirmed that:

- Contact had been made with Development Control and Building Control prior to the application being made;
- The application submitted to Building Control had not been seen by the Development Control Department;
- With reference to Section 72 of the Listed Building and Conservation Areas Act 1991, there were several court cases that had taken the same line;
- If the dormer was located outside of the Conservation Area, it would still require planning permission.

The Committee was addressed by John Sullivan, Chairman of Winsham Parish Council. He explained that the applicant did not realise that his property was located within a Conservation Area and had not mentioned the fact to Building Control. The applicant had been advised that the work could be carried out under permitted development. He gave details of the applicant's personal circumstances and commented that the loss of the facility would be detrimental to the applicant's family. He commented that the Conservation Area was important but the dormer caused no visual impact and had support from local residents in the village.

The Committee was then addressed by Mr Weller in support of the application. He explained that he lived in one of only four properties that were only overlooked in their back gardens. He noted that there had been no objections to the window and commented that the dormer was not visible from the main road and was in keeping with the rear elevation of the property.

The Applicant, Mr Willis explained that he had looked at several ways of expanding his property but it was not possible to extend at the back and the only way of providing space was to extend into the loft. He had contacted Building Control and discussed the proposed plans. He was not aware that his property was located within a Conservation Area. He was unaware that communication between Building Control and Development Control was not automatic. He confirmed that work was now complete and that his immediate neighbour supported the development. The Parish Council also supported the application and was keen for young families to remain in the village. He was of the opinion that he had acted in good faith and asked members to consider the detrimental effect on his family if the application were to be refused.

Ward Member, Councillor Sue Osborne referred to Section 72 of the Listed Building and Conservation Area Act and commented that many of the court cases were not relevant to this application. She noted that the demand for family housing was identified within the Parish Plan for Winsham. She referred to the structure as being functional and acceptable to the community. She pointed out that the roofs opposite the development were also slate. She believed that the dormer was an efficient use of land and met a housing need in a small village.

During the ensuing discussion, a number of comments were made in support of the application which included the following:

- The dormer could not be seen from any location other than a neighbouring garden;
- Section 72 of the Listed Building and Conservation Area Act 1991 mainly referred to listed buildings and serious heritage assets;
- There was no other alternative design because of the headroom required;
- There were no neighbouring objections;
- The design guidance was over the top in relation to this application;
- Harm was not significant enough to warrant refusing the application;

- The Parish Council was supportive of the application and it was the only solution to the family staying in the village.

The Senior Legal Executive advised that in making their decision, members needed to be mindful of the fact that personal circumstances would not normally be taken into consideration when considering planning applications, however, if members were of the view that there were exceptional personal circumstances in this case, they would need to provide clear reasons for accepting the application on those grounds.

At the conclusion of the debate, it was proposed and seconded to approve the application contrary to the Planning Officer's recommendation subject to a time limit condition for the following reasons:

- No significant harm to the character and appearance of the Conservation Area;
- Accords with Chapter 12 of the National Planning Policy Framework.

On being put to the vote, the proposal was carried 12 in favour, 0 against and 1 abstention.

**RESOLVED:** That Planning Application No. 15/03635/FUL be **APPROVED** contrary to the Planning Officer's recommendation for the following reason:

The dormer window by reason of its design and siting to the rear of the dwelling would result in no significant harm to the character and appearance of the Conservation Area. It therefore accords with Policy EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and Chapter 12 of the National Planning Policy Framework (2012).

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Notwithstanding the time limits given to implement planning permission as prescribed by Section 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 20<sup>th</sup> August 2015.

Reason: To comply with Section 73A of the Act.

2. The approved plans are: Site Location Plan; unnumbered plans titled 'Side elevation showing new roof extension'; unnumbered plan titled 'rear view showing new roof extension' only.

Reason: For the avoidance of doubt and in the interests of proper planning.

*(Voting: 12 in favour, 0 against, 1 abstention)*

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**61. Planning Application 15/03263/S73A - 7 Court Farm Close, Winsham (Agenda Item 17)**

***Application Proposal: Application to vary condition 02 (approved plans) of 14/05486/FUL for the addition of 4 No. radius oak braces to side elevation and amendment to design***

The Planning Officer introduced the report and with the aid of slides and photographs summarised the details of the application as set out in the agenda. There were no updates to the report. The key considerations were inconsistency between approved plans and character and appearance including setting of the Conservation Area. The Planning Officer's recommendation was for approval.

In response to questions from Members, the Planning Officer confirmed that

- The main planning issue was the impact on the Conservation Area and the character of the area and was not about whether the timber braces were necessary;
- He did not feel that the visual impact was significant enough to warrant refusal of the application;
- He had discussed the application informally with the Conservation Officer who was of the view that the proposal would not impact upon the Conservation Area or its setting.

The Committee was addressed by John Sullivan, Chairman of Winsham Parish Council who reiterated the views of the Parish Council as outlined in the agenda report. The Parish Council were of the view that SSDC should determine the complaint alleging breaches of planning control regarding construction of the carport before considering the new application and give the Parish Council the opportunity to review the application in the context of any decisions made.

The Committee was then addressed by Mrs Mermagen (speaking on behalf of Mr Mermagen), Elizabeth Turner, Brian Turner and Mr Chance in objection to the application. Views expressed during the representations included the following:

- The carport was a serious intrusion on the edge of a Conservation Area and was a prominent feature of the close;
- The design amendment was of no practical value and added to the overbearing mass of the structure;
- The structure could not be used as a carport as there was no room for a car;
- No further work should be considered on the carport;
- All the neighbours objected to the structure;
- The Committee were shown a number of photographs submitted by Mr Chance which highlighted the extension of the carport being beyond adjacent elevations, it was too narrow to park a car, a second parking space had been lost and further parking was now in the road.

The Ward Member, Cllr Sue Osborne felt that the proposal did impact upon the Conservation Area and commented that carports were normally modest. She was of the view that the existing structure was solid and did not require the addition of timber braces. She objected to the application on the grounds of the proposal being a dominant structure that would cause harm to the Conservation Area.

In response to a member comment, the Senior Legal Executive advised that the two sets of plans attached to the previous permission showed different details. The 1:20 scale plans was more detailed but effectively the development could have been built either way although more weight could be placed upon the 1:20 scale plan.

During discussion, members felt unable to consider the application before them without viewing the original plans presented to them at the February Area West Committee meeting.

The Area Lead and Senior Legal Executive advised that deferring consideration of the application was the most sensible way forward.

It was proposed and seconded to defer consideration of the application to a future meeting of the Area West Committee in order to allow members to be shown the previously approved scheme.

On being put to the vote, the proposal to defer the application was unanimously supported.

**RESOLVED:** That consideration of Planning Application No. 15/02097/FUL be **DEFERRED** to a future meeting of the Area West Committee in order to allow the previously approved scheme to be presented to members.

*(Voting: unanimous)*

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**62. Planning Application 15/02097/FUL - Fairport, Furnham Crescent, Chard (Agenda Item 18)**

***Application Proposal: The erection of 1 No. detached dwelling***

*(Having earlier declared a personal and prejudicial interest, Councillor Garry Shortland left the room during consideration of the application).*

The Planning Officer introduced the report and with the aid of slides and photographs summarised the details of the application as set out in the agenda. The key considerations were character and appearance, including the appearance of streetscene, residential amenity and highway safety. The Planning Officer's recommendation was for approval. He proposed an additional condition to those outlined in the report to ensure that the window on the side elevation facing Trelowena was obscured glazed and fixed close.

In response to questions, Members were informed of the following:

- The extension to the neighbouring property had been built since the previous application and did not require planning permission;
- Mr Lee, the owner of the property next door to the application site confirmed that planning permission was live when he purchased his property. He also advised that he had experienced problems with land registry at the time of purchasing his property and that the planning permission had failed to show up on the search;
- The original planning application expired in April 2014;
- There was no obligation for a planning permission to be activated;
- There had been no policy changes since the original application was approved.

The Committee was addressed by Ivan and Katy Lee in objection to the application. Points raised during the representation included the following:

- The development was not in keeping with the other bungalows in the crescent;
- She was not aware that any other properties in the road had accommodation in the roof;
- The proposed development was too close to the neighbouring property and would restrict their privacy;
- Concerns over loss of light.

The Committee was addressed by Mark Fox, representing the Applicant. He explained that the previous planning permission had lapsed due to the applicant's health situation. He said that the owner of the next door property had moved into the property in 2011 and that planning permission was still in place at the time. He commented that the extinguishment of a footpath had also delayed the process. He explained that the plot was large and therefore more difficult to sell and it made much more sense to utilise the plot. He believed that the plans were in keeping with the surrounding area.

Ward Member, Cllr. Jenny Kenton stated that the estate comprised a mix of properties. She commented that there were a number of extensions to properties along Furnham Road that occupied a much larger area and felt that this proposal was much smaller in comparison. She also highlighted that there had been no policy changes since the previous application was approved.

During consideration of the item, members expressed their support for the application commenting that there had been no policy or material change since the previous application and commented that the next door extension had been built when planning permission was still in place.

It was proposed and seconded to approve the application as per the Planning Officer's recommendation outlined in the agenda report subject to the addition of a further condition to ensure that the window on the side elevation facing Trelowena was obscured glazed and fixed close. On being put to the vote, the proposal was carried 10 in favour, 0 against and 2 abstentions.

**RESOLVED:** That Planning Application No. 15/02097/FUL be **APPROVED** as per the Planning Officer's recommendation outlined in the agenda report subject to:

An additional condition to ensure that the window on the side elevation facing Trelowena is obscured glazed and fixed close.

The prior completion of a Section 106 Planning obligation (in a form acceptable to the Council's solicitor) before the decision notice granting planning permission is issued, to secure a financial contribution towards affordable housing.

For the following reason

01. Notwithstanding the comments made by the neighbours, it is considered that the proposal would, by reason of its size, form, design and materials, respect the character of the area and would not adversely affect residential amenity or highway safety in accordance with the aims and objectives of policies SD1, SS1, TA5,

TA6, EQ1 and EQ2 of the South Somerset Local Plan and the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos KDHP3, KDHP4, KDHP5 and KDHP6 received 23 July 2015 and 20 August 2015.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. The development hereby approved shall not be commenced unless particulars of the materials (including the provision of samples where necessary) to be used for the walls and roof of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy EQ2 of South Somerset Local Plan (Adopted March 2015).

04. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The scheme shall include the retention of existing mature trees and shrubs on the southern and western boundaries of the site.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (Adopted March 2015).

05. The area allocated for parking on the submitted plan drawing no. KDHP5 shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of South Somerset Local Plan (Adopted March 2015).

06. There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage (including land edged in blue). Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of South Somerset Local Plan (Adopted March 2015).

07. The development hereby permitted shall not be commenced unless surface water drainage details to serve the development have been submitted to and agreed in writing by the Local Planning Authority. Such approved details shall include soakaways and they shall be completed and become fully operational before the development is first used. Following its installation such an approved scheme shall be permanently retained and maintained thereafter.

Reason: In order to manage surface water run-off and flood risk from the development, in accordance with policy EQ1 of the South Somerset Local Plan and chapter 10 of the National Planning Policy Framework.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows and roof lights, or other openings (including doors) shall be formed at first floor level in the dwelling hereby permitted without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (Adopted March 2015).

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby permitted without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (Adopted March 2015).

10. The development hereby approved shall not be commenced unless details of the full boundary treatment of the site, including all fencing, walls and gates have been submitted to and agreed in writing by the Local Planning Authority. Such agreed boundary treatment shall be completed before the dwelling is first occupied and maintained thereafter.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (Adopted March 2015).

11. Prior to the first occupation of the development hereby approved being first brought into use the window in the north west elevation hereby approved shall be fitted with obscure glass (and fixed close) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity to comply with Policy EQ2 of the South Somerset Local Plan (2006-2028)

**Informatives:**

01. The applicant's attention is drawn to the comments of the Rights of Way Officer and that no development should take place on the line of the recorded public footpath until an extinguishment order has been made and confirmed.
02. The applicant's attention is drawn to the advice of Wessex Water in their letter of 16 June 2015.

*(Voting: 10 in favour, 0 against, 2 abstentions)*

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**63. Planning Application 15/03187/FUL - Land OS 5600 Chaffcombe Road, Chard (Agenda Item 19)**

***Application Proposal: Installation of up to a 3 MW solar farm comprising ground mounted photovoltaic solar arrays together with power inverter systems, transformers and substations, internal access track, landscaping, deer fencing, CCTV and other associated infrastructure equipment***

*(Having earlier declared a personal and prejudicial interest, Councillor Dave Bulmer left the room during consideration of the application)*

The Planning Officer introduced the report and with the aid of slides and photographs summarised the details of the application as set out in the agenda. There were no updates to the report. The key considerations were principle of development, landscape character and highway safety. The Planning Officer's recommendation was for approval.

In response to questions from Members, the Planning Officer confirmed that:

- Sheep would be able to graze underneath the panels;
- The Countryside Manager had not been consulted on the application;
- It was felt that there would be no direct impact on Chard Reservoir.

The Committee was addressed by the Applicant, James Jenkison. He commented that the site was well concealed and informed members that a survey had been carried out which concluded that there would be no harm to wildlife. He said that the amount of traffic connected with the construction of the site would be minimal and should not cause any problems.

The Ward Member, Cllr Garry Shortland commented that in the past there had been a waste transfer site located further down the road that would of generated more traffic movements than anticipated with the proposed site. He referred to the need for renewable energy and recommended that the application be approved.

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

**RESOLVED:** That Planning Application 15/03187/FUL be **APPROVED** as per the Planning Officer's recommendation for the following reason:

01. It is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies EQ1, EQ2, TA5 and EQ4 of the South Somerset Local Plan 2006-2028.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below)

Drawing no. D14\_2124\_01 received 9 July 2015

Drawing no. D14\_2124\_02 received 9 July 2015

Drawing no. D14\_2124\_08 received 9 July 2015

Drawing no. D14\_2124\_05 received 9 July 2015

Drawing no. D14\_2124\_04 received 9 July 2015

Drawing no. All\_Projects\_10 received 9 July 2015

Drawing no. PRG\_C412\_A received 9 July 2015

Drawing no. CWS\_AP\_07 received 9 July 2015

Drawing no. D14\_2124\_09 received 9 July 2015

Drawing no. ISD-SGD-008 Revision #2 received 9 July 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The development hereby permitted shall be removed and the land restored to its former condition 25 years after the date of first export of electricity to the National Grid, or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with the submitted Decommissioning Method Statement attached to the approved application, dated July 2015. Any variations to the Decommissioning Method Statement shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

04. Within one month of the date of first export of electricity to the grid, written confirmation of this date shall be submitted to the Local Planning Authority for their records.

Reason: For the avoidance of doubt and in the interests of proper planning

05. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

06. The scheme of landscaping shall be carried out in accordance with the submitted Landscape and Visual Impact Assessment and specifically the Landscape Strategy fig. 7 dated June 2015, unless otherwise agreed in writing by the local planning authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development hereby approved; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority



gives written consent to any variation.

Reason: In the interests of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

07. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interests of landscape character, visual amenity and to safeguard the rural character of the area in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

08. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

09. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

10. The development hereby approved shall be carried out in accordance with recommendations and suggestions for mitigation and enhancement contained within the submitted Ecological Survey, Breeding Survey, Wintering Bird Survey and Great Crested Newt Survey (carried out by Clarkson & Woods Ecological Consultants), unless otherwise agreed in writing by the Local Planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4

11. The construction of the works hereby approved shall take place in full accordance with the submitted Tree Report carried out by Hellis Tree Consultants, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the health, structure and amenity value of protected trees in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the policies EQ2 and EQ4 of the South Somerset Local Plan (Adopted March 2015).

12. Any gates shall be located 5 metres back from the edge of the highway and open inwards.

Reason: In the interests of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

13. The development hereby approved shall be strictly carried out in accordance with the submitted Access Appraisal by i-Transport including the plans attached to the appraisal, the Construction Traffic Management set out within the submitted Construction Environmental Management Plan Revision A, dated July 2015 and the submitted Vehicle Swept Path Analysis drawing no. ITB11019-GA-003 dated September 2015, in regard to the following points, unless otherwise agreed in writing by the Local planning authority;

1. Access to the site off Chaffcombe Road is from the west only and visibility splays are maintained and retained as shown within the Access Appraisal

2. A Banksman is provided for safe access to and from the site from Chaffcombe Road for HGVs

3. During construction signs are placed on Chaffcombe Road to warn of HGVs accessing the site.

4. Traffic to enter and leave the site only between the hours of 07:30 and 19:00 Monday to Friday, 08:00 and 17:00 on Saturday and no time on Sundays or Bank Holidays

5. A temporary on-site construction compound to be provided with turning for HGVs

6. All access tracks, both permanent and temporary shall be installed before any other works commence on site or deliveries made.

7. The tracks shall be installed as per the details submitted in the CEMP

8. Wheel washing facilities to be provided in line with details

submitted in the CEMP

Reason: In the interests of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

**Informatives:**

01. The Applicant is advised that the Highway Service Manager for South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, BA22 8RT Tel: 0845 345 9155, email: countyroads-southsom@somerset.gov.uk must be consulted with regard to the proposed temporary signage.
02. Please be aware of the comments and advice set out within the Natural England's letter dated 14 august 2015, in particular you are advised to follow guidance.TIN101:Solar Parks; Maximising environmental benefits in relation to bat protection. The mitigation required for foraging bats is a 6 -9 metre buffer next to ditches and 5 metre buffer adjacent to the hedges.

*(Voting: unanimous)*

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**64. Date and Venue for Next Meeting (Agenda Item 20)**

Member noted that the next meeting of the Area West Committee would be held on Wednesday 18<sup>th</sup> November 2015 at 5.30pm. Venue to be confirmed.

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.....  
Chairman

## Area West Chard Regeneration Scheme update

21<sup>st</sup> October 2015

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## Agenda

- Town Centre - current position
- CEDA and Unlocking the Growth Area
- Funding bids
- Site by site progress

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## Implementation plan

- Work with developers to try to get agreement on timing and cooperation in delivery
- Ensure key elements of the CRS are in the Local Plan and can be a material consideration
- Planning Officers need to be trained in using and applying the CRS
- Formal Development Brief to be drawn up for Town Centre sites and these should be marketed
- Work to try to get vital public funding for the Millfield Link

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## Town Centre

Key terms of the Conditional Development Agreement with Henry Boot PLC are:

1. Henry Boot must secure a pre-let agreement with a retail end user to 'anchor' the scheme.
2. Henry Boot must obtain planning permission for the development
3. SSDC must provide vacant possession

All three conditions must be met before the agreement becomes unconditional and the project can move to the construction stage.

The timeframe of the agreement is **three years** which means that these conditions must be met by **April 2017**.

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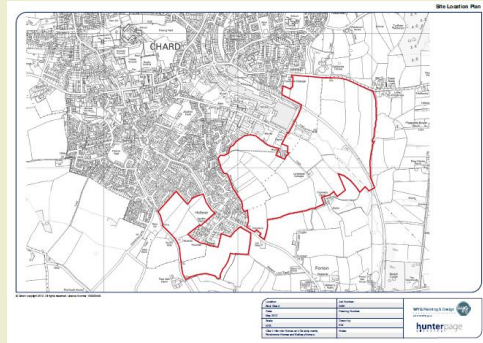
## Town Centre Current position

- Position reported at board
- Supermarket
- Boden Mill
- Secondary shops
- Capital receipt
- Next Steps

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## Unlocking the Growth Area



## CEDA

### Local Plan Policy PMT 1

Land at Chard is allocated for strategic growth to provide the following within the plan period and beyond:

- At least 2,716 dwellings
- 13 hectares of employment land
- Associated infrastructure (schools, shops etc.)

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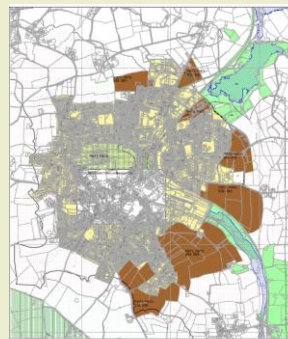


## Local Plan Policy PMT 2: Chard Phasing

Within Plan Period  
1220 dwellings, 13 hectares  
employment land, new  
primary school and facilities

Post 2028  
1496 units, further school and  
other facilities.

*Phases should demonstrate  
that they will not compromise  
delivery of the total growth*



South Somerset Local Plan 2006 - 2028  
Chard - Inset Map 3 (Adopted 2015)

## Current Growth Rates

- Delivery rates are below what the local plan advocates (65dwellings versus 84dwellings);
- Delivery rates are set to remain more or less the same in the next five years (Years 1- 5);
- Developer appetite remains low, and the reason we cannot push more forecast delivery into the next five years.
- Sites have to be shown to be deliverable, and many in Chard, even though they are in the CRS are not currently deliverable.

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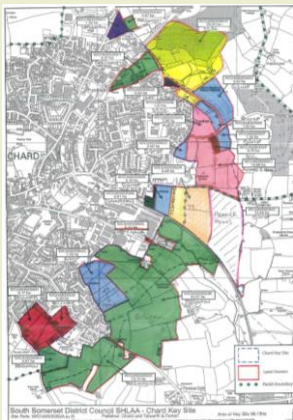


## Progress on sites

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## Land Ownership



## Land between Forton Road and Tatworth Road

Date	Activity	Officer	Outcome
May 2015	Pre-application enquiry from Gladman regarding a potential scheme for up to 200 units. Community consultation in September 2015	AG/DN	Response provided to Gladman indicating that it accords with plan. Expecting the submission for an application
June 2015	Pre-application meetings with Persimmon. This follows on from lengthy discussions and public consultation events.	AG/DN	Application for up to 290 dwellings imminent



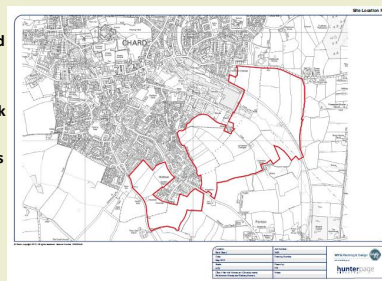
### Land South of Crewkerne Road

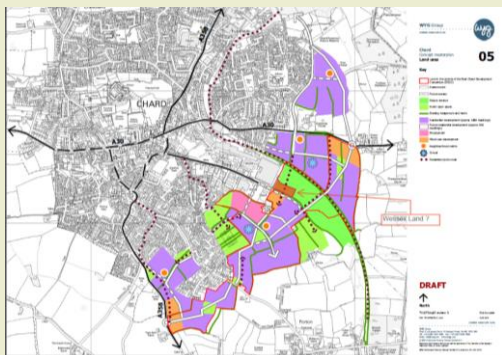
Date	Activity	Officer	Outcome
July 2015	Planning application 14/04399/FUL for 72 units being considered. Viability and access issues have been agreed and scheme will be reported to committee shortly.	AG	Planning application awaiting committee decision.
August 2015	Further discussion with Hunter Page Planning in relation to Hannick Homes site. Keen to submit an application for up to 350 units together with employment facilities and section of link road.	AG/DN	Hannick in discussion with Persimmon to ascertain whether an agreement can be reached that will allow the site to be accessed via the old rail line.



### Statement of Common Ground with Chard Development Consortium

- Necessary to convince Local Plan Inspector that Chard policies were deliverable
- Persimmon, Hannick and John Bishop agreed to work together to progress land to the east of Millfield
- Persimmon have now moved their focus to another site.





### Defending Challenges against CEDA

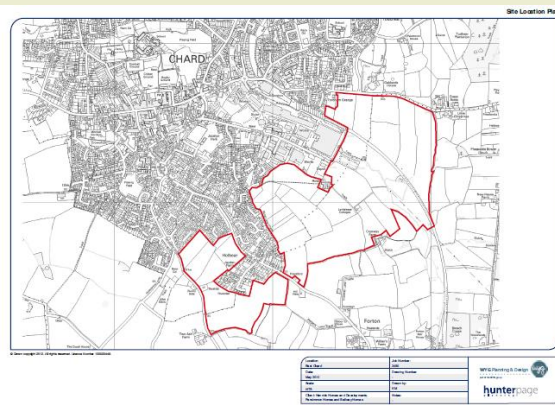
- considerable resource into defending the CEDA under significant challenge from developers of competing schemes to the north of Chard.
- CRS was well supported by Chard residents (who also committed considerable time and resource) at inquiry
- The inspector, who ruled in favour of the CRS, indicated the need to deliver projects at CEDA to maintain the high credibility of the CRS.

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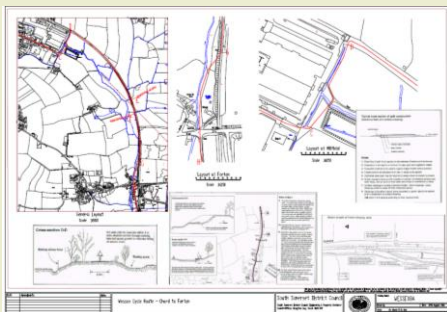
### Land South of Crewkerne Road (2)

Date	Activity	Officer	Outcome
Dec 2014	SSDC met with Developers. TT Investments did not attend. Persimmon Option, Millfield Link Road & pedestrian route discussed.	CP/DN	Development options, pedestrian route and Link Road without Persimmon land requirement discussed to progress development objectives
Jan 2015	SSDC met SCC Highways to agree location and specification of link road in principle.	CP/DN/DJ	SCC accept Chard Masterplan for link road, exact location to be agreed when detailed drawings supplied.
July 2015	Hannick Homes undertook Preapp advice on link road and pedestrian access through their land.	CP/AG	HH proposal agreed in principle for pedestrian way and road link. Awaiting application in due course.
Present 2015	Landowners agent to contact Persimmon to discuss employment & Stopline Way land from Option Agreement. SSDC to deal direct to secure land.	CP	Agent still pursuing Persimmon to discuss Option agreement. Ongoing.



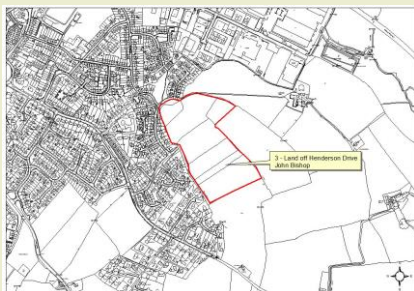


### Stopline way



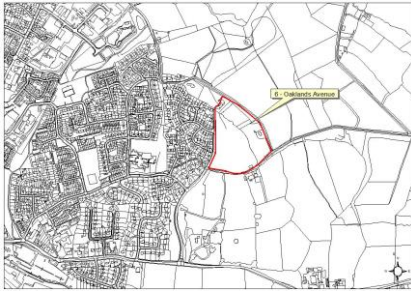
### Land between Forton Road and the Greenfields

Date	Activity	Officer	Outcome
Various dates between 2011 and 2014.	Discussions with Charles Bishop in relation to the supply of up to 200 units and school site	DN/AG	Charles Bishop are keen to progress development on the site and welcome the new approach that allows each developer to progress. Currently fully engages in Yeovil SUE and this large site is not currently a priority



### Land North of A30/Oaklands Avenue

Date	Activity	Officer	Outcome
June 2015	Reserved Matters application submitted by Morrish for 78 units (15/02165/REM). This follows an outline approval from 2013.	AG	Application currently being considered.
2010-15	Various pre-application enquiries from Charles Bishop Ltd in relation to 3 (13/04920/PRE-APP)sites within his ownership off Oaklands Avenue	AG/DN	Officers have provided positive advice in respect of 3 small sites (each up to 15 units) on land that is within the area of growth.



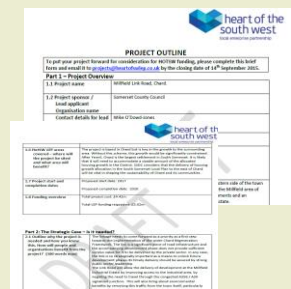
### The 'East End'

Date	Activity	Officer	Outcome
May 15	Initial discussions with all landowners to assess whether a comprehensive scheme was deliverable.	AGI/AG	The site in the ownership of the Richardson's is currently being marketed but no progress on other land



### Seeking funding for Roads

- Investing in infrastructure programme
- Growth Deals
- Cost to SSSC / cost to SCC
- GD3 pipeline schemes
- Benefits Stressed
- Road link to Millfield and Forton Rd
- Access to employment and recreation Land
- Completion of the Chard Stoptline way



### The 'challenging' sites

#### Land South of A30 (TT Investments)

- Important to the delivery of the Hannick Site
- No interest shown by landowner despite continual approaches from developers and local authority
- Land owner never engaged with LDA when the document was produced.

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### The 'challenging' sites

#### Persimmon Land (Greenfields and south of)

- Persimmon focus on site to the west and not intending to bring it forward at current time
- They have option on the land and therefore control it
- Site is important to delivery of employment land and the StopLine Way
- Ongoing discussions with owner's agent. Landowner is keen to progress but requires agreement from Persimmon

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### Implementation plan

- Work with developers to try to get agreement on timing and cooperation in delivery
- Ensure key elements of the CRS are in the Local Plan and can be a material consideration
- Planning Officers need to be trained in using and applying the CRS
- Formal Development Brief to be drawn up for Town Centre sites and these should be marketed
- Work to try to get vital public funding for the Millfield Link

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