

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held at the **Council Chamber, Brympton Way, Yeovil on Wednesday 16 December 2015.**

(5.30 - 7.22 pm.)

Present:

Members: Councillor Carol Goodall (Chairman)

Jason Baker	Paul Maxwell
Marcus Barrett	Ric Pallister
Mike Best	Garry Shortland
Amanda Broom	Angie Singleton
Dave Bulmer (until 6.30pm)	Andrew Turpin
Val Keitch	Martin Wale
Jenny Kenton	

Officers:

Andrew Gillespie	Area Development Manager (West)
Neil Waddleton	Section 106 Monitoring Officer
Zoe Harris	Neighbourhood Development Officer
Chloe Beviss	Planning Assistant
Andrew Gunn	Area Lead (West)
Angela Watson	Legal Services Manager
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.

81. To approve as a correct record the Minutes of the Previous Meeting held on 18th November 2015 (Agenda Item 1)

The minutes of the meeting held on 18th November 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 subject to the following:

Minute 74 - Area West – Reports from Members on Outside Bodies in relation to Crewkerne & District Museum:

Councillor Paul Maxwell wished the minutes to be amended to reflect that he had paid tribute to Cathy Herriman.

82. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Sue Osborne and Linda Vijeh.

83. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

84. Public Question Time (Agenda Item 4)

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

85. Chairman's Announcements (Agenda Item 5)

The Chairman informed members that there would be a Strategic Planning Portfolio Holder Briefing on 13th January at 3.30pm in the Council Chamber which would update members on the draft Community Infrastructure Levy and sites coming forward for potential development.

The Chairman also advised that there would be a workshop for the Area Committees to look at SS2 and its implications.

86. 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.

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

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

(Resolution passed without dissent)

87. Section 106 Obligations (Agenda Item 7)

The Section 106 Monitoring Officer presented the report as detailed in the agenda and explained the background to his role. He advised that since his last report there had been two significant legislation changes that would affect the way the Council was able to seek planning obligations in the future:

- Policy HG4: Provision of Affordable Housing 1 -5 dwellings – Small sites below the threshold for a full affordable housing contribution would be expected, where it is viable to do so to pay a commuted sum.
- CIL Regulations (2011, amended 2013 & 2014) - from April 2015, no more contributions may be sought/collected in respect of specific projects through a S106 agreement if 5 or more obligations have been entered into since April 2010.

During the ensuing discussion, the Section 106 Monitoring Officer noted the comments of members and responded to questions on points of detail as follows:

- A member queried whether there should be a S106 obligation relating to Tail Mill development;

- With regard to the Moorlands Farm development, a member commented that the sports pavilion had already been built and queried whether payment could be made retrospectively;
- With regard to the Broadway Farm Barn development, members were advised that the obligations had been calculated through a nationally agreed formula and that the figures looked accurate;
- In response to a member question regarding the Flat Mill Building development in Chard, the S106 Monitoring Officer advised that the permission had expired as the development had not commenced;
- The S106 Monitoring Officer agreed to email members with the types of infrastructures that the Council could not seek contributions for;
- A member queried whether the Roundham development in Crewkerne should be included on the monitoring report;
- With regard to the Bradford site in Misterton, a member queried whether the monitoring report should include reference to the discharge of the planning obligation application (DPO) of the affordable housing element. The Section 106 Monitoring Officer advised that the Muga had been progressed and that £150,172 still remained in the pot;
- With regard to the land at Maiden Beech development, members were advised that a meeting had been held with Persimmon Homes with a view to building a new relationship. It was hoped that the LEAP would be signed off shortly.

The Chairman thanked the S106 Monitoring Officer for his report.

RESOLVED: That the report be noted and the actions taken in respect of the monitoring and managing of the Section 106 Planning Obligations be endorsed.

88. Area West Development Plan and Budget-Half Year Progress (Agenda Item 8)

The Area Development Manager (West) summarised the agenda report. He highlighted that the Area West Reserve was used to underwrite or demonstrate commitment to projects approved by the Area West Committee which had been the case for a large amount of the expenditure. There was currently a balance of £49,640 held in the reserve. With reference to the Area West Capital Programme, members were informed that the fund was in a healthy position to bring forward further projects. Members noted that discussions about the viability and delivery of the Forton Community Association scheme were still ongoing.

The Area Development Manager referred members to the Area Development Plan which set out key projects and programmes being undertaken by the Area Development Team. He highlighted current progress on a number of actions including Creative Crewkerne – a successful Poetry in Shops project held in May 2015.

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

- A member thanked the Area Development Team for all of the work that had been undertaken;

- A member commented that Creative Crewkerne had been a huge success which had been set up with very little funding and support from officers;
- Members were advised that Chard Youth Club were now in a more stable financial position;
- A member referred to the success of Frome's Independent market and queried whether some of the available funding could be used to quick start similar projects. In response, the Area Development Manager commented that a project would be brought forward in relation to the Chard Regeneration Scheme and the Lace Mill.

At the conclusion of the debate, Members were content to confirm the recommendations of the report.

- RESOLVED:**
1. That the current position on community grants and other project budgets held by Area West be noted;
 2. That projects in the Area Development Plan be noted;
 3. That the current Area West Capital Programme and Reserve be noted.

89. Blackdown Hills Area of Outstanding Natural Beauty (AONB) (Agenda Item 9)

The Neighbourhood Development 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.

With the aid of a powerpoint presentation she informed members about the following:

- The current Management Plan covering the period 2014-19 was available on the website;
- Work across the area during 2015 included a FWAG Workshop to inform local farmers about the new Countryside Stewardship Scheme and the installation of a gateway sign on the boundary of the AONB to the west of Chard on the A30. The AONB had also been involved in discussions regarding improvements to the A30/A303;
- The 3 year Natural Futures Project began in January 2015 which has 3 strands to its delivery: Discover it, Share it, Do it;
- The Discover It! strand involved training placements for ecology graduates. The trainee ecologists undertook survey work and issued reports to relevant landowners;
- As part of the Share it! strand, the project now has its own website and a number of wildlife focussed events were organised, including the Wildlife Discovery Day aimed at families, which attracted 125 people;
- The Do It! Strand is about getting communities involved in local wildlife related projects. In Combe St Nicolas, the Natural Futures team are working with local volunteers to improve the Underway Meade site as an amenity for both wildlife and the community;
- A project in Tatworth involves working with a team of volunteers to restore a village pond and surrounding hedgerow including the creation of a management plan;
- Natural Beauty Natural Wellbeing is a new joint project starting in January 2016 to improve the health and wellbeing of residents. The officer running the programme

will develop and co-ordinate healthy activities within 3 Somerset AONBs and be looking to working with people in Chard.

Councillor Martin Wale, the SSDC representative on the Partnership Management Group commented that there were various events planned for next year to celebrate 25 years of the AONB partnership.

In response to questions from members, the Neighbourhood Development Officer advised that the AONB Partnership was erecting gateway signs one at a time because of the budget situation and that they may already have plans for signing along the A358 and A35 but she would obtain further information from the AONB Manager. Members were informed that there were no plans to dual through the Blackdown Hills and that improvements would be to the current set up.

During discussion, members thanked the Neighbourhood Development Officer and Cllr. Martin Wale for their input to the partnership. One member felt that more could be done to promote the AONB walks on the council's website through the health and well-being agenda.

Members noted the report and expressed their support for the work of the Blackdown Hills AONB Partnership.

NOTED.

90. Schedule of Planning Applications to be Determined by Committee (Agenda Item 10)

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

91. Planning Application 15/04786/FUL - 2 Church Villas, High Street, East Chinnock (Agenda Item 11)

Application Proposal: Erection of two storey side extension to dwellinghouse

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 consideration was the impact on the setting of the Grade II listed church. The Planning Officer's recommendation was for refusal.

The Legal Services Manager referred to the statutory duty on the LPA to pay special regard to the desirability of preserving the setting of a listed building, which requires more than a passing regard to such a setting. The duty is more than just another material consideration and creates a strong statutory presumption against planning permission being granted.

She indicated that recent High Court rulings had made it very clear that when an authority finds that a proposed development would harm the setting of a listed building it must give that appropriate weight. Where harm is identified, but members were of the view that the application should be approved, they would need to be clear that there was sufficient 'public benefit' to outweigh the harm caused. Her further advice was that a

proposal which improved the living environment of the applicants did not amount to 'public benefit'.

In response to member questions, the Planning Officer advised that:

- A further explanation was given about what view could be seen from the A30;
- The planting of leylandii was not a development that could be controlled;
- The property housed a young family who needed a third bedroom to remain in the parish. Other options to extend the property were possible. A single storey extension wouldn't have the same impact as the proposed development;
- The response from the parish council was becoming a common response from parish councils;
- The harm was considered significant enough to recommend refusal;
- Members could only consider the proposal before them;
- It was accepted that the application was an improvement on the original scheme but it was still considered to adversely impact upon the setting of the church.

The Committee was addressed by the Agent, Mr Parkin who felt that the proposal would not affect the listed building in a negative way. The property already had solar roof panels and a conservatory which he considered to be harmful. The most controversial view could only be seen when the trees were bare. He was of the opinion that you wouldn't look at the church from the A30 because the view was very restricted. He commented that the Parish Council, neighbours and the ward member all agreed that the extension would cause no harm.

Ward Member, Councillor Ric Pallister commented that the classic view of the church was from outside under the bridge from West Coker and the second view was from Odcombe Hollow. The view along the A30 was a short stretch of 30 metres. He proposed that members accept that there was no significant harm to the setting of the listed church.

During discussion on the application, members concurred with the ward member and felt that the application should be approved. They considered that the main view of the church was coming down and out of the Odcombe Hollow turning as well as coming from West Coker and that the key views of the church tower would not be affected by the proposed development.

The Ward Member confirmed that the Parish Council had a long debate on the application and supported the proposal.

It was proposed and seconded to approve the application contrary to the Planning Officer's recommendation. The Area Lead suggested the reason for approval and this was agreed by members. On being put to the vote the proposal was carried unanimously.

RESOLVED: That Planning Application No. 15/04786/FUL be **APPROVED** contrary to the Planning Officer's recommendation for the following reason:

01. The proposed extension, by reason of its design, materials, siting, height and width, will cause no harm to the setting of the Grade II listed church nor intrude upon key views of the church tower. The extension will further have an acceptable relationship with neighbouring properties in accordance with Policies 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:

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 No. 1 received 15th October 2015

Drawing No. 2 Rev. a received 15th October 2015

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

Informatives:

01. For the avoidance of doubt, no approval is hereby granted to the double garage shown in Drawing no. 1 received 15th October 2015 which is an error on the plan.

(Voting: unanimous)

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

Members noted that the next meeting of the Area West Committee would be held on Wednesday 20th January 2016 at 5.30pm at Wadham School, Crewkerne.

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Chairman