

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **Swanmead Community School** on **Wednesday 18 November 2015**.

(5.30 pm - 8.30 pm)

Present:

Members: Councillor Carol Goodall (Chairman)

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

Officers:

Lisa Davis	Community Office Support Manager
Andrew Gunn	Area Lead (West)
Mike Hicks	Planning Officer
Paula Goddard	Senior Legal Executive
Jo Morris	Democratic Services Officer

Also Present:

Chris Weeks	Assistant Highway Service Manager, Somerset County Council
Angela Kerr	Chief Executive Officer, Citizens Advice South Somerset

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

65. To approve as a correct record the Minutes of the Previous Meeting held on 21st October 2015 (Agenda Item 1)

The minutes of the meeting held on 21st October 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 inclusion of the following:

Councillor Jenny Kenton declared a personal interest in Planning Application Nos. 15/02097/FUL and 15/03187/FUL, as a member of Chard Town Council.

66. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillor Jason Baker and Andrew Gillespie, Area Development Manager (West).

67. Declarations of Interest (Agenda Item 3)

Councillor Garry Shortland declared a Disclosable Pecuniary Interest in Planning Application No. 15/04232/FUL, as the applicant and owner of the property.

Councillors Dave Bulmer and Amanda Broom declared personal interests in Planning Application Nos. 15/04232/FUL and 15/03349/DPO, as members of Chard Town Council.

Councillor Dave Bulmer also declared a personal and prejudicial interest in Planning Application No. 15/04232/FUL, as a friend of the applicant who was also the Deputy Mayor of Chard Town Council.

Councillor Martin Wale declared a personal interest in Planning Application No. 15/04232/FUL, as a friend of the applicant.

Councillor Sue Osborne declared a personal interest in Planning Application No. 15/03263/S73A, as the Ward Member.

Councillor Jenny Kenton declared a personal and prejudicial interest in Planning Application No. 15/04232/FUL, as a friend of the applicant.

Councillor Jenny Kenton also declared a personal and prejudicial interest in Planning Application No. 15/03349/DPO, as her son lived one house away from the application site.

68. Public Question Time (Agenda Item 4)

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

69. Chairman's Announcements (Agenda Item 5)

The Chairman made the following announcements:

Free Parking Over the Festive Period

South Somerset District Council's Area West team will be organising free parking on Saturday 12 and 19 December to encourage more shoppers to visit the towns of Chard, Crewkerne and Ilminster in the run up to Christmas and as a boost to traders.

A press release advertising this will be issued in early December, but in the meantime, please publicise this in your towns in advance.

Venue for December Area West Committee

Due to Area North Committee and Area West Committee being held on the same day in December and both requiring the portable sound system, it has been agreed to hold the Area West Committee in the Council Chamber on 16th December unless the Crewkerne Key Site application comes forward and then the meeting would be held in Crewkerne.

70. 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)

71. Highway Service Report for Area West (Agenda Item 7)

The Assistant Highway Service Manager presented the report which provided members with an update of the highway works carried out in the last financial year in Area West and the proposed works programme for 2015/16.

The Assistant Highway Service Manager noted members' comments and concerns about local issues within the area which included:

- A member congratulated the Highway Service over the way they had managed the resurfacing works to the Lopen Head roundabout and was pleased with the end result;
- A member commented that she was pleased to note that the resurfacing works at Ile Court, Ilminster had commenced;
- A member expressed his thanks to the Highway Service for the completed drainage works at Old Town and Church Street, Chard;
- A member reported overgrown vegetation along the footpath off Tapstone Lane and Broadleaze Lane going down to Cook Avenue, Chard and highlighted that there didn't appear to be a management plan for these areas;
- A member queried when the passing bays reconstruction works at Lopen Road, Hinton St George would be undertaken as the works had been outstanding for many years;
- Members were informed that there were no planned budget cuts to the Highway Service following the announcement made Somerset County Council;
- A member referred to the need for a refresh of the road markings in Crewkerne and was disappointed that no works had been undertaken. The Assistant Highway Service Manager said that he would arrange for another inspection to be undertaken.

The Chairman thanked the Assistant Highway Service Manager for attending the meeting.

RESOLVED: That the report be noted.

72. South Somerset Citizens Advice Bureau (SSCAB) (Agenda Item 8)

The Chairman welcomed Angela Kerr, Chief Executive Officer, Citizens Advice South Somerset to the meeting. With the aid of a powerpoint presentation she informed

members of the work and future development of Citizens Advice South Somerset. Points mentioned during her presentation included the following:

- The aim of the service was to provide the advice people need for the problems they face and improve the policies and practices that affect people's lives;
- Between April and September 2015 Citizens Advice South Somerset helped 2125 clients from South Somerset;
- 23.62% of total clients were from Area West;
- 502 clients in Area West were helped between April and September 2015;
- The main client issues were around benefits and tax credits, debt, housing and employment;
- The service could be accessed through the telephone, email and by drop in;
- The service worked closely with the other Citizens Advice organisations in Somerset and by working together benefited from: Adviceline, Somerset Advice Network, Somerset Advice Strategy and an Online Referral System;
- The service was currently recruiting for volunteers. It took between 4 to 6 months to train an adviser. The level of knowledge required for the role was reasonably high;
- Ambitions for the future – the service had just moved into the Balsam Centre, Wincanton. Discussions were currently taking place about bringing advice to Chard two days a week based at the Boden Centre;
- The service was looking at how they could use Skype more effectively;
- The service recognised the need to get closer to its clients to reduce the need to come into Yeovil for the service;
- The service worked closely with Yarlinton with a view to taking more provision out into the community.

During the ensuing discussion, the Chief Executive Officer, Citizens Advice South Somerset noted the comments of members and responded to questions on points of detail. Points raised included the following:

- Advice on employment issues were mainly around dismissal, contract queries and not being paid. A number of case studies were available;
- One of the challenges for the service was to convert its data into ward data;
- All clients were offered a confidential service;
- A member thanked the Officer for her very comprehensive report;
- The service worked with Knightstone and Hastoe and were currently in discussion with them about providing money advice;
- The service received funding from Wessex Water to ensure that advice is given on the effectiveness and management of paying bills;
- It was agreed to circulate a copy of the presentation slides to members of the Committee;
- A member commented that it would be useful to have year on year trend information in future reports;
- It was important to work collaboratively with other organisations such as job centres, housing groups and mental health organisations but it was also important not to lose the local connection;
- The service worked effectively with SSDC's Benefits Team and met informally to discuss various issues. The service only had one Welfare Benefit Adviser so was not in competition with SSDC.

The Chairman thanked Angela Kerr, Chief Executive, Citizens Advice South Somerset for attending the meeting.

73. Community Offices Update (Agenda Item 9)

The Community Office Support Manager summarised the agenda report. She explained that there had been a reduction in footfall figures across the district compared with the previous year but less of a reduction in core service enquiries. She advised that a customer satisfaction survey had been carried out and that the team had received a 98% satisfaction score, which was a great achievement. She highlighted that all staff were fully trained and worked closely with the back office services.

During the ensuing discussion, the Community Office Support Manager, responded to comments and questions raised by members. She informed members of the following:

- One of the reasons for a decline in footfall was due to encouraging people to access services via the website although people still needed to visit the offices with benefit evidence;
- Crewkerne Community Office received a high number of non SSDC related enquires compared with Chard and Ilminster because the office was located with the Local Information Centre and Town Council and therefore dealt with other enquiries. It was noted that Crewkerne Town Council contributed to the running of the office.

The Chairman thanked the Community Office Support Manager for attending the meeting.

RESOLVED: That the report be noted.

74. Area West - Reports from Members on Outside Bodies (Agenda Item 10)

Crewkerne & District Museum

Members noted the report by Cllr. Marcus Barrett updating members on Crewkerne & District Museum.

Chard & District Museum

Members noted the report by Cllr. Amanda Broom updating members on Chard & District Museum.

NOTED.

75. Planning Appeals (Agenda Item 11)

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

NOTED.

76. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

The Chairman announced that she wished to change the order of the Planning Schedule and that she would be taking Agenda Number 15 prior to Agenda Number 14.

As the Vice Chairman would be leaving the room for Agenda Numbers 14 and 15, Councillor Angie Singleton was appointed as Vice Chairman for these items.

77. Planning Application 15/03263/S73A - 7 Court Farm Close, Winsham (Agenda Item 13)

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.

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. Members were also shown the presentation slides presented to them in 2014 as requested at the last meeting and noted that the slides did not show the overhang. The key considerations associated with the application were inconsistency between approved plans – legal opinion and impact of the proposed braces on character and appearance/setting of Conservation Area. The Planning Officer's recommendation was for approval subject to conditions.

The Senior Legal Executive clarified the legal position on the application. She explained that she had looked back over the whole application and that permission must be interpreted on face value in terms of the documents contained in the permission. It was unfortunate that the plan did not form part of the presentation to members but it had been part of the approved documents. The document formed part of the plans listed and could have been viewed on the planning file therefore the permission was lawful.

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

- The structure of the carport was not a planning issue;
- He would be surprised if the carport needed any additional structure support;
- There was an error in the report. As members no longer needed to consider lawfulness of the conflicting plans they were asked to dismiss the paragraph relating to this in the report.

The Committee was addressed by Nigel Mermagen, Andrew Simkins, Brian Tucker and John Chance in objection to the application. Views expressed during the representations included the following:

- Concerns over the loss of a valuable parking space;
- The proposal was contrary to best practice as outlined in the extensions and alterations design guide;
- The carport was harmful to the streetscene;
- Dimensions of the carport should be reduced;
- Concerns over the overbearing size and appearance of the carport;
- The carport was very restrictive and confining;
- The carport was not subservient to the house. The front and side elevation should be brought back;
- The wooden braces would make the structure even worse and were not necessary;

- Objections had been received from all the neighbouring properties.

During the representations presentation slides submitted by Nigel Mermagen, Andrew Simkins and Brian Turner were shown to members of the Committee.

Ward Member, Cllr Sue Osborne raised her concern over the Committee not being presented with the full information at the February meeting and that the overhang was clearly unacceptable to the residents. She commented that the structure was very dominant and that if the residents felt strongly enough there should be a mechanism for complaint. She felt that the braces were not needed and that there was no supporting evidence to suggest why they were needed. She was of the opinion that the braces would make the structure even more dominant.

In response to a member comment, the Planning Officer confirmed that permitted development rights had been removed with the previous approval.

In response to a member comment, the Senior Legal Executive reiterated that the plan was part of the application documents and could have been viewed at any time. There was a period where the permission could have been challenged but the period had now expired.

During discussion on the application, members referred to there being a process for a complaint to be made. They were of the view that the braces were unnecessary and it was therefore proposed and seconded to refuse the application contrary to the Planning Officer's recommendation for the following reasons:

- The addition of 4 oak braces would cumulatively add to the visual prominence of the structure;
- Harmful to the character, appearance and setting of the adjacent Conservation Area, the streetscene and amenity of adjacent residents;
- Contrary to Policies EQ2 and EQ3 of the Local Plan.

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

RESOLVED: That Planning Application 15/03263/S73A be **REFUSED** contrary to the Planning Officer's recommendation for the following reason:

01. The addition of 4 oak braces to the car port without any adequate justification will cumulatively add to the visual prominence of the structure and thus erode its open character. This is harmful to the character, appearance and setting of the adjacent Conservation Area, the streetscene and the amenity of adjacent residents. As such the proposal is contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and Chapters 7 and 12 of the National Planning Policy Framework (2012).

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

78. Planning Application 15/04232/FUL - The Coach House, Lyddons Mead, Chard (Agenda Item 14)

Application proposal: Change of use of The Coach House at Easthill 35 Crewkerne Road, Chard from ancillary residential accommodation to independent dwelling

(Having earlier declared a Disclosable Pecuniary Interest, Cllr Garry Shortland left the meeting during consideration of the application.)

(Having earlier declared personal and prejudicial interests, Cllrs Dave Bulmer and Jenny Kenton 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 principle of residential development, character and appearance, residential amenity and highway safety/parking. There were no updates to the report. The Planning Officer's recommendation was for approval subject to conditions.

In response to a member question, the Area Lead West explained that he didn't have the exemptions listed for Affordable Housing contributions with him but could attach one to the permission if it was appropriate.

It was proposed and seconded to approve the application as outlined in the agenda report subject to a S106 agreement to secure a financial contribution towards affordable housing if appropriate. On being put to the vote, the application was unanimously approved.

RESOLVED: That Planning Application No. 15/04232/FUL be **APPROVED** as per the Planning Officer's recommendation subject to:

- To delegate authority to determine whether affordable housing contributions are required under policy HG4 of the Local Plan.

For the following reason:

01. The proposed dwelling is located within a sustainable location which is considered to be appropriate for housing development. The proposal would have an acceptable impact on the character and appearance of the area, would not harm residential amenity of highway safety. As such the proposed dwelling would accord with Local Plan Policies SS1, EQ2, TA5 and TA6 of the South Somerset local Plan (2006-2028) and the relevant sections of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

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

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

02. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: SCOUSP1; unnumbered

elevations titled 'The Coach House at Easthill 35 Crewkerne Road' only.

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

03. The parking space illustrated on the site location plan No. SCOUSP1 shall be made available for the parking of vehicles prior to the first occupation of the dwelling hereby approved. The said parking spaces shall not be used other than for the parking of vehicles in connection with the development hereby approved and the said spaces and access thereto shall thereafter be kept clear of obstruction in perpetuity.

Reason: To ensure sufficient parking provision and in the interests of highway safety to accord with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

04. Prior to the development hereby approved being first brought into use the first floor window in the east elevation shall be fitted with obscure glass and shall be openable in accordance with details that shall be submitted to an approved in writing by the Local Planning Authority. The window 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).

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no development under Class B or C (additions and other alterations to the roof) of the General Permitted Development Order 2015 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 (2006-2028).

06. Prior to the first occupation of the dwelling hereby permitted, alterations to the boundary treatment of the site shall be carried out and completed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

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

(Voting: unanimous)

79. Planning Application 15/03349/DPO - Land Off Touchstone Lane, Chard (Agenda Item 15)

Application Proposal: Application to remove affordable housing obligation from S106 agreement dated 18th March 2015 between South Somerset District Council and Rosemary Jane Pring and Rosaling Claire Rayland and Summerfield SD3 Limited.

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

The Area Lead West 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 consideration was viability. The Area Lead West advised that the application was accompanied by a visibility appraisal which had been assessed by the District Valuer. Members were recommended to agree to vary the Section 106 Agreement to reduce the provision of affordable housing on site from 8 units to 3 low cost homes. The Area Lead West confirmed that the Corporate Strategic Housing Manager and District Valuer both supported the proposal.

In response to member questions, the Area Lead West confirmed that:

- There were no viability issues at the time the S106 was signed;
- There was no time limit imposed by the government in terms of when an applicant can apply to vary the affordable housing provision;
- He could include an overage clause;
- He had spoken to the Corporate Housing Manager since the publication of the report and that he was willing to accept the offer of 3 low cost homes.

At this point in the proceedings it was proposed and seconded to exclude the press and public from the meeting in order to discuss the confidential District Valuer's report. It was therefore RESOLVED that the report 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")

Following discussion of the District Valuer's report, the press and public were welcomed back to the meeting.

During discussion on the application, members sought assurance from the applicant that he was content to keep the low cost homes in perpetuity.

Ward Member, Cllr Amanda Broom commented that the application had been debated by Chard Town Council and that they fully supported the District Valuer's viability report. She was of the view that there should be more provision on the site but if the proposal was not supported, the end result could be less.

At the conclusion of the debate, it was proposed and seconded to approve the Planning Officer's recommendation as outlined in the agenda report subject to:

- The words 'in perpetuity' to be inserted after the words 3 low cost homes;

- The inclusion of an overage clause

On being put to the vote, the proposal was unanimously carried.

RESOLVED: That Members agree to vary the Section 106 Agreement to reduce the provision of affordable housing on site from 8 units to 3 low cost homes in perpetuity. This variation shall be time limited for a period of 3 years from the date of the decision and subject to an overage clause.

01. It had been satisfactorily demonstrated that the requirement for 8 affordable homes as part of this development would unreasonably affect the viability of the approved scheme in the current market. Moreover, it has been demonstrated that the provision of 3 low cost homes would provide a small surplus and the s106 shall be varied accordingly.

(Voting: unanimous)

80. Date and Venue for Next Meeting (Agenda Item 16)

Members noted that the next meeting of the Area West Committee would be held on Wednesday 16th December at 5.30pm in the Council Offices, Brympton Way, Yeovil unless the planning application for Crewkerne Key Site comes forward and then the meeting would be held in Crewkerne.

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Chairman