

## South Somerset District Council

**Minutes** of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 12 December 2018**.

(5.30 - 8.25 pm)

**Present:**

**Members:** Councillor Jason Baker (Chairman)

Mike Best	Sue Osborne
Amanda Broom	Ric Pallister
Dave Bulmer	Andrew Turpin
Val Keitch	Linda Vjeh
Paul Maxwell	Martin Wale



**Officers:**

Helen Rutter	Communities Lead
Jo Morris	Case Services Officer (Support Services)
Andrew Gunn	Area Lead (West and North)
Tim Cook	Locality Team Manager
Nicola Doble	Performance Support Officer
Marc Dorfman	Senior Planning Adviser
Anna-Maria Lenz	Performance 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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In the absence of the Vice Chairman, Councillor Paul Maxwell was elected as Vice Chairman for the meeting.

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**84. To approve as a correct record the Minutes of the Previous Meeting held on 21st November 2018 (Agenda Item 1)**

The minutes of the previous meeting held on 21<sup>st</sup> November 2018 were approved as a correct record and signed by the Chairman.

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

Apologies for absence were received from Councillors Marcus Barrett, Carol Goodall, Jenny Kenton, Garry Shortland and Angie Singleton.

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## **86. Declarations of Interest (Agenda Item 3)**

Councillor Martin Wale declared a personal interest in Planning Application No. 18/00746/OUT – Pear Tree, Wadeford, Chard, as he lived in Wadeford and the applicant was known to him.

During the item, Councillor Val Keitch declared a personal interest in Planning Application No. 18/01311/OUT – Land OS 4538 The Pound, Broadway Road, Broadway, as a friend lived in an adjacent property to the application site.

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## **87. Date and Venue for Next Meeting (Agenda Item 4)**

Members noted that the next meeting of the Area West Committee would be held on Wednesday 16<sup>th</sup> January 2019 at 5.30pm at The Guildhall, Chard.

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## **88. Public Question Time (Agenda Item 5)**

The Committee was addressed by a member of the public in relation to a planning application for the erection of buildings to store and erect carnival floats in Kingstone parish. She referred to the unsuitability of the site and the lack of infrastructure and asked if SSDC could work with Kingstone Parish Meeting and Ilminster Town Council to try and find an alternative site for the Carnival Clubs to use.

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## **89. Chairman's Announcements (Agenda Item 6)**

The Chairman announced that Cllr. Carol Goodall would be standing down as Vice Chairman of Area West Committee and a new appointment would be made in January.

The Chairman informed members that Helen Rutter, Communities Lead was leaving SSDC at the end of the year and wished to thank her for all her hard work and commitment to Area West Committee. Members reiterated their thanks and wished Helen all the very best for the future.

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## **90. Blackdown Hills Area of Outstanding Natural Beauty (AONB) (Agenda Item 7)**

The Locality Team Manager introduced the report which provided an update on the activities and projects carried out by the Blackdown Hills Area of Outstanding Natural Beauty (AONB) Partnership. He explained that members were being asked to agree in principle to continue the SSDC contribution to the core funding and that a further report would be submitted in March seeking adoption of the AONB Management Plan and to formally endorse SSDC's funding contribution.

He welcomed Tim Youngs, AONB Manager to the meeting. With the aid of a powerpoint presentation, the AONB Manager informed members about the following:

- Community Nature Projects with local communities
- Nature and Wellbeing Project - Memory Café sessions in Chard

- Guided sessions at Folly Farm for members of the Watch Project
- Naturally Healthy Month in May
- Revised version of the Landscape Character Assessment which covers all of the Blackdown Hills would be published at the end of 2018/19
- Work in 2019/20 would include ash dieback mitigation and public engagement via Trees Outside Woods, extending and expanding volunteering role plus nature in and wellbeing work and engaging with primary schools at Combe St Nicholas and Buckland St Mary.

Cllr. Martin Wale, the appointed representative on the Partnership Management Group commented that the AONB delivered a fantastic amount of work with the funding received.

The AONB Manager responded to members' questions and comments on points of detail.

Members thanked the AONB Manager for the work undertaken by the Partnership and unanimously approved the recommendations of the report.

- RESOLVED:**
- (1) That the report be noted;
  - (2) That it be agreed in principle to continue the SSDC contribution to the core funding of the AONB Partnership of £6,000 in 2019/20, subject to the Council's budget setting process and available budgets for 2019/20.

*(Voting: unanimous)*

**Reason:** To update members on the work of the Blackdown Hills AONB Partnership and agree in principle to the continuation of core funding.

## **91. Area West Draft Chapter of the Council Plan 2019/20 (Agenda Item 8)**

The Lead Specialist Strategic Planning presented the report. She explained that the contents of the Area West Chapter had been developed using the outcomes of the member workshop and also included a review of current area delivery plans. She explained that the key priorities would be monitored on a bi-monthly basis and a progress report would be presented to the Area West Committee. She proposed a minor amendment to the second bullet point under Economy to include Community Partnerships.

During discussion the Locality Team Manager and Lead Specialist Strategic Planning noted the comments from members and responded to questions. Members were informed that:

- The next step was to produce Delivery Plans for each of the key priorities and identify officers to lead on the projects and identify achievements for the year;
- Area Committees would receive 6 monthly progress reports and in time information on individual projects would also be available through the Members Portal as progress is made with using the members portal for access to information;
- Members asked if the delivery of a swimming pool in Chard could be added to the paragraph on pitch provision. Officers noted it was a long term project which formed part of the Chard Regeneration Scheme and progress would therefore be reported

through the relevant programme board. Officers agreed to sense check this with relevant lead officers;

- Some priorities had also been identified in other areas and would be included elsewhere in the Council Plan;
- The Locality Team would still have capacity to support parishes with Neighbourhood Plans and Community Plans.

At the conclusion of the debate, members agreed the priorities for the Area to be presented to District Executive for consideration for inclusion in the Council Plan.

**RESOLVED:** That members agreed the priorities for the Area to be presented to District Executive for consideration for inclusion in the Council Plan.

*(Voting: unanimous)*

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**92. Reports from Members on Outside Organisations (Agenda Item 9)**

**Chard & District Museum**

Members noted the update report submitted by Cllr. Amanda Broom.

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**93. Area West Committee Forward Plan (Agenda Item 10)**

The Communities Lead informed members of the following updates to the Area West Committee Forward Plan:

- Appointment of Vice Chairman would be considered at the January meeting
- AONB Management Plan to be added to the Forward Plan in March
- The Area West Delivery Plan to be included - date to be confirmed

It was also agreed to defer the update on Ilminster Forum to the February meeting.

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

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**94. Planning Appeals (Agenda Item 11)**

Members noted the report detailing a planning appeal that had been received.

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

Members noted the schedule of planning applications to be determined by the Committee.

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**96. Planning Application 18/01311/OUT - Land OS 4538, The Pound, Broadway Road, Broadway (Agenda Item 13)**

***Application proposal: Outline planning application with all matters reserved aside from the access for the erection of up to 35 dwellings and associated works (resubmission of 17/04239/OUT)***

The Area Lead Planner (North & West) presented the application as detailed in the agenda and with the aid of a powerpoint presentation showed the indicative layout plan and photographs of the site including the access. He explained that the application was a resubmission of a previous application which had been withdrawn. He advised that there had been minor revisions to the attenuation pond details and tree protection measures. A meeting had also been held with Highways and it had been agreed that the hedgerows would be cut back to provide visibility. He referred to the key considerations which were principle of development, housing need/local plan housing strategy, highways/parking, landscape, residential amenity, ecology and local infrastructure. There were no updates to the report, however, he noted that Alder King had submitted a briefing note to all members prior to the Committee meeting.

Following the Officer's presentation, Cllr. Val Keitch declared a personal interest in the item as a friend lived in a property adjacent to the site.

In response to member's questions, the Area Lead Planner (North & West) advised that:

- As the Council could not demonstrate a 5 year supply of housing only limited weight could be attached to Policy SS2;
- The Council's Ecologist raised no objections to the application;
- The applicant was suggesting additional planting to compensate for the loss of hedgerow;
- He had weighed up all the issues including reduction and extent of the site and character of the village and concluded that the landscape impact was not severe enough to warrant refusal of the application;
- Scale of development and cumulative impact was a material consideration;
- If members considered there to be sufficient harm to warrant refusal of the scheme, they would need to set out in detail the harm the scheme was imposing;
- County Education were not requesting a contribution.

A representative from Broadway Parish Council raised a number of concerns with regard to the application. Points raised related to:

- If the application were to be approved, housing in Broadway would increase by a third in ten years. The increase was incompatible with SS2 which was intended to protect rural settlements from housing expansion on this scale;
- The Health Centre capacity was counterbalanced by the primary schools inability to cope with the influx of extra pupils;
- The need for Affordable Housing was not quantified;
- The Parish Council had sent a long detailed letter opposing the application which was attached to the agenda.

The Committee was addressed by two members of the public in support of the application. Comments raised included the following:

- The application provided affordable housing;

- The village had many people that wished to stay or return to the village;
- The development would help support local facilities.

The Applicant's Agent advised that public consultation had been undertaken on the proposal and that as a result of concerns raised the number of dwellings had been reduced from 46 to 35 with provision for 12 affordable dwellings and a greater mix of dwellings including bungalows. The application introduced a new footpath link providing a connection to the village and traffic calming features in Pound Road. The proposal was consistent with density of recent developments in the village and would help maintain vitality. He advised that the development area had been reduced in order to maintain hedgerows and increase public open space.

Ward Member, Cllr. Linda Vjeh raised a number of concerns in relation to the application which included the following:

- Objections had been raised by a number of local residents and the Parish Council;
- Increased levels of traffic through the village;
- The amount of development in Broadway in the last seven year had exceeded expectations;
- A development of this size would be detrimental to the village;
- Local people living in Broadway were not able to obtain school places in some year groups.

During the discussion, some members raised a number of concerns in relation to the following:

- Adverse landscape harm
- Ecological harm
- Scale of development
- Unsustainable location
- Development contrary to various policies
- Lack of school places
- Lack of amenities
- Cumulative impact
- Loss of greenfield site
- Development harmful to character of the village

The Planning Lead confirmed that the application was 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. If the Committee was minded to refuse the application, the final determination would be made by the Regulation Committee.

The Senior Planning Advisor advised that if members were minded to refuse the application, they would need to set out in detail the harm the scheme was imposing.

At the conclusion of the debate, it was proposed and seconded to refer the application to the Regulation Committee with a recommendation that the application be refused for the reason:

- significant adverse landscape impact
- harm to the character and appearance of the village
- contrary to policies SD1 and EQ2

On being put to the vote, the proposal to recommend refusal of the application was carried by 8 votes in favour and 2 against.

**RESOLVED:** That Planning Application No. 18/01311/OUT be REFERRED to the Regulation Committee with a recommendation from Area West Committee that the application be refused for the following reason:

The proposed development by reason of its location and scale on a greenfield site at the edge of the village would result in a significant adverse landscape impact and be harmful to the character and appearance of the village, contrary to policies SD1 and EQ2 of the South Somerset Local Plan.

*(Voting: 8 in favour, 2 against)*

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**97. Planning Application 18/00746/OUT - Pear Tree, Wadeford, Chard (Agenda Item 14)**

***Application Proposal: The erection of a 1 No. dwelling and detached garage with associated parking***

*(Cllr Martin Wale declared a personal interest in the application as he lived in Wadeford and the applicant was known to him)*

The Planning Lead (North & West) presented the application with the aid of a powerpoint presentation and highlighted the key considerations. He explained that the application was seeking outline planning permission and to agree access arrangements with all detailed matters reversed for later consideration. He advised that Wadeford was considered to be an unsustainable location and was remote from facilities and local services and the application was therefore recommended for refusal.

In response to member questions, the Planning Lead informed members of the following:

- SS2 applied to rural settlements which stated that two or more services and facilities must be provided and Wadeford only had one;
- The need to travel was contrary to the aims and objectives of sustainable development as outlined in the Local Plan;
- Land ownership was a civil matter and could not be considered as part of the planning application.

The Committee was addressed by the Applicant. He explained his personal circumstances and the reasons for making the application. He commented that the site was surrounded by dwellings and was not isolated. He referred to policies in the NPPF acknowledging development in one village supporting services in another village.

Ward Member, Cllr. Martin Wale noted that the Parish Council supported the application and that there were no issues with visibility and the access could be negotiated. He advised that the objections would be dealt with when the full application was considered. He did not agree that the site was unsustainable as Wadeford was only one mile from the Chard boundary and was close to Combe St Nicholas which had various facilities

including a school, shop, village hall, public house and two churches. He also advised that there was a bus stop opposite the Haymaker public house.

During the discussion, a number of members supported the views of the Ward Member and did not consider the location to be unsustainable.

It was proposed and seconded to approve the application contrary to the Planning Officer's recommendation for the following reasons:

- Sustainable form of development
- Safe means of access
- No adverse harm to neighbouring amenity

Conditions suggested by the Planning Lead (North & West) and agreed by members included:

- Time
- Submission of detailed matters (appearance, landscaping, scale & layout)
- Proof of site plan
- Limit to one dwelling
- Tree protection
- Highways
- Surface water
- Construction management plan

A vote was taken and the application was unanimously approved.

**RESOLVED:** That Planning Application No. 18/00746/OUT be APPROVED contrary to the Planning Officer's recommendation for the following reason:

The proposed development by reason of its location would result in a sustainable form of development, providing a safe means of access and would cause no adverse harm to any neighbouring amenity, in accordance with Policies SD1 and EQ2 of the South Somerset Local Plan.

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. Application for approval of the scale, appearance, landscaping and layout of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and



Country Planning Act 1990.

03. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner in the interest of residential amenity and to protect the character and appearance of the locality to accord with policy EQ2 of the South Somerset Local Plan.

04. The development hereby permitted shall be carried out in accordance with the approved plans drawings numbered TNDHOLP2 and TNDHOLP3.

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

05. The development hereby permitted shall comprise no more than one dwellinghouse, and the combined gross internal floor space of development shall not exceed 1000 square metres in extent.

Reason: To determine the scope of the permission on the basis that the number of dwellings applied for constitutes sustainable development particularly in relation to mitigation measures required to be secured by planning obligation, in accordance with the aims of the NPPF, the online Government Planning Practice Guidance and Policies SD1, HG3 and HW1 of the South Somerset Local Plan.

6. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be prepared in-writing and submitted to the Council for approval. Upon approval in-writing by the Council, the scheme of tree protection measures shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with Policies EQ2, EQ3 and EQ5 of the South Somerset Local Plan

07. The access and drive that serves this development, as detailed on approved plans drawings numbered TNDHOLP2 and TNDHOLP3, shall be fully provided in accordance with these approved details before the first occupation of the dwelling hereby permitted and shall thereafter be maintained in this fashion at all times.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

08. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall be submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the development is first brought into use and thereafter maintained at all times.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

09. Before the dwelling hereby permitted is first occupied details of the construction and finished surfacing of the access and drive that are to serve the development, shall be submitted to and agreed in writing by the local planning authority. The access and drive shall be implemented in full accordance with these agreed details and shall be retained and maintained in this fashion thereafter at all times, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety to accord with Policies TA5, EQ2, EQ4 and EQ5 of the South Somerset Local Plan.

10. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include construction operation hours, construction delivery hours, parking for contractors, storage compound and parking for delivery vehicles. The development shall be carried out strictly in accordance with the approved Construction Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and to safeguard residential amenity in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

Informative:

Any subsequent reserved matters application should include **biodiversity enhancement** proposals.

*(Voting: unanimous)*

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Chairman