

South Somerset District Council

Minutes of a meeting of the Area East Committee held at the Council Offices, Churchfield, Wincanton. on Wednesday 10 October 2018.

(9.00 - 11.45 am)

Present:

Members: Councillor Nick Weeks (Chairman)

Hayward Burt	Anna Groskop
Tony Capozzoli	Mike Lewis
Nick Colbert	Colin Winder
Sarah Dyke	

Officers:

Helen Rutter	Communities Lead
Marc Dorfman	Senior Planning Advisor
Dominic Heath-Coleman	Area Lead Planning Officer (East)
Jo Boucher	Case services Officer

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

67. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on Wednesday 12th September 2018, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

68. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Henry Hobhouse and David Norris.

69. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

70. Date of Next Meeting (Agenda Item 4)

Members noted that the date of the next meeting of the committee would be at the Council Offices, Churchfields, Wincanton on Wednesday 14th November 2018 at 9am.

71. Public Question Time (Agenda Item 5)

There were no questions from members of the public.

72. Chairman Announcements (Agenda Item 6)

The Chairman advised members that following a discussion with officers in future the initial draft Area Committee minutes will be circulated to the Area Chairman.

During a lengthy debate some members expressed concern regarding the procedure and review of the draft minutes and at the conclusion of the debate a recommendation was proposed and subsequently seconded that ' The draft minutes should be checked by the chairman and not go to the planning department'. On being put to the vote members agreed this by 5 votes in favour and 2 against.

73. Reports from Members (Agenda Item 7)

Councillor Hayward Burt raised concern regarding the broadband extension roll out and the impact this will have on the Area East communities and businesses due to poor speeds within the area and how this will further hold back much needed inward investment.

In response members were informed that following discussion at the Full Council it was now the understanding that the funding was not approved and un-ringfenced therefore requested an update on the current situation and the impact this would have and the plans to reduce its impact.

Councillor Hayward Burt also wished to raise concern regarding the increasing number of Waterloo-Exeter trains not making the scheduled stop at Templecombe Station and consequently members of the public having to be bussed to other stations.

The Communities Lead noted the comments made and would make further inquiries into the issues raised.

Councillor Nick Colbert reported to members the success of the 'Poppy of Honour' recently held in Wincanton.

Councillor Sarah Dyke wished to congratulate Milborne Port on their success of winning the Gold award in the RHS South West in Bloom Cox Cup.

74. Highways Update Report (Agenda Item 8)

Members were informed that John Nicholson, Assistant Highway Service Manager was unable to attend the meeting. It was therefore agreed that the report be deferred to the November committee in order for the officer to attend and present his report.

75. Area East Committee Forward Plan (Agenda Item 9)

The Communities Lead presented the report and reiterated that the Highways Update Report would be brought back to the November committee. She also recommended that the annual report on Policing and Community Safety be brought to committee in January 2019. She made no further updates to the report.

Councillor Hayward Burt reiterated his concerns regarding the current position of the Gigaclear broadband programme and also requested a report from the Blackmore Vale Partnership with regard to the issues at Templecombe station.

Councillor Anna Groskop requested a report be brought to committee that reflects the importance of tourism in the area and what it brings to Area East. Following a short discussion it was agreed that a further briefing be given to members on the emerging corporate plan and the priorities of Area East.

- RESOLVED:**
- (1) that the Area East Forward Plan and the comments of Members be noted.
 - (2) that the reports identified by Members be added to the Area East Forward Plan and developed by the SSDC lead officers.

(Voting: Without dissent)

76. Planning Appeals (For information only) (Agenda Item 10)

Members noted the Planning Appeals.

77. Schedule of Planning Applications to be Determined by Committee (Agenda Item 11)

Members noted the Schedule of Planning Applications.

78. 17/03985/OUT - Land OS 7800, Wheathill Lane, Milborne Port (Agenda Item 12)**

Application Proposal: Outline planning application for a mixed-use development comprising the erection of up to 65 dwellings and convenience store (Class A1), community hub (Class B1); and associated access and landscaping works on land at Station Road with access and associated works.

The Planning Officer presented the application as detailed in the agenda and reminded members that the application was referred to committee for consideration at the request of the ward member, and with the agreement of the area chair, as the ward member is concerned that the benefits do not outweigh the adverse impacts of the scheme.

He also updated members that:

- Received an additional response from Milborne Port Parish Council reiterating their requests as set out in detail within the agenda report.
- Received an additional letter of objection.

- Received an additional letter from the Sherborne and District CPRE reiterating their initial concerns expressed and in summary whether the development would lead to deterioration of the settlement hierarchy with numbers in excess of the proposed figure for this area to the detriment of Milborne Port.

With the aid of a power point presentation he proceeded to give a comprehensive presentation showing the site and proposed plans including proposed access arrangements, outline drainage and landscape plans.

The Planning Officer referred to the key considerations with this application being the principle of development, scale of development, highways, visual amenity, residential amenity, ecology, flooding and drainage, fire risk and planning balance. He considered the development was contiguous to Milborne Port and had been established by Policy SS5 of the local plan and that although approval of this development would take the number to 93 over the target figure set for this area, this is a minimum figure set and would still lie short off the next tier of the settlement hierarchy.

He also confirmed no objections had been received from the Highways Authority and although specific concern has been raised by the Parish Council with regard to the width of the pavement, he considered the proposal to widen the pavement is a considerable improvement on the existing arrangement. No objections had been received from the Landscape Architect or SSDC Ecologist and he considered the proposed scheme to be of an acceptable design and density for the area, however acknowledged this will be considered further at reserved matter stage.

He also confirmed any construction noise can be mitigated by condition and that the Lead Local Flood Authority and Wessex Water have raised no objection to the proposed scheme, and although there was specific concern locally regarding fire risk due to low water pressure Devon and Somerset Fire and Rescue Service had been consulted and have raised no concerns.

In conclusion the Planning Officer considered the benefits to this scheme including a shop, land for Community Hub, village square and improvements to the highways outweigh the adverse impacts and therefore after considering all of the responses and advice, as outlined in the agenda report, his proposal was to approve the application subject to a Section 106 legal agreement and conditions as set out in the agenda report.

A representative of Milborne Port Parish Council then addressed the committee and explained the discussions taken place with SSDC officers to ensure a considered response to this proposal which he believed they have sought to do so. He understood that two applications of this size within the area would unlikely to be successful however one would be, and with this in mind, he considered this application to be preferred over the application at Station Road which is currently at appeal. He therefore voiced his disappointment that the proposed planning conditions fall well short of the detailed requests of the Parish Council including:

- The proposed 1.5 metres width of pavement to be inadequate and that the request to install a footway of 2 metres should be met in order to ensure the highway safety of pedestrians.
- Raised concern regarding the size of the proposed convenience store and understands this is not guaranteed with merely a condition imposed to market the store appropriately albeit the original application clearly stated a convenience store would be provided.

- Acknowledged the proposed community hub would be a good addition to the village to provide much needed facilities, therefore it makes little sense economically for the developer to provide the site but not the building.

He referred to the comments and considered requests proposed from the Parish Council subject to prior approval of the scheme as set out in the agenda report, however concluded that without these conditions imposed cannot support the application.

Seven members of the public spoke in objection to the application. Their comments included:

- Increased fire risk due to insufficient water pressure to meet the Fire Services requirements and that the Fire Service acknowledged low water pressure was still a problem in the area.
- Over provision of housing in Milborne Port above allocation in local plan. Therefore damage to settlement hierarchy.
- Milborne Port has already completed or approved 306 new dwellings which is already 10% above its target with ten years of the plan still to run.
- This application contravenes local policies and significantly increases its planning target.
- SSDC's inability to provide a five year land supply should not compromise other more suitable or sustainable sites when available and that the recent revised national guidelines within the National Planning Policy Framework (NPPF) should be considered.
- Highlighted objections previously raised by the Conservation Officer on the basis that the proposal be contrary to the Council's aims to preserve existing landscape namely polices EQ2, EQ4 and EQ5 of the local plan.
- Believed Tree Preservation Orders (TPO) are imposed for good reason and therefore the planting new of trees cannot adequately compensate for the loss to the environment.
- Loss of hedgerows would have significant impact on providing habitats to wildlife every year.
- Loss of valuable agricultural land.
- If development is permitted surely it should be required to fit around existing landscape and the natural environment.
- Proposal does not provide sufficient forward visibility.
- Proposed increase in footpath width to 1.5 metre is not satisfactory and would have a significant impact on the safety of pedestrians accessing the site. To say this is 'better than at present' is not acceptable and does not meet the current recommendations for safe footpaths.
- The introduction of a possible Traffic Order to prevent car parking along Station Road fails to acknowledge that these cars will only move into the new development to park, thus inhibiting the traffic flow in and out of the new development.
- Concerns regarding flood risk due to replacement of agricultural field with hard surface increasing the surface water run-off.
- Proposed Attenuation tanks are inadequate and assumption that these would be empty when rain comes.
- Ditch at the foot of the site already floods and with more water carried to the site would only increase the flooding risk and eventually placing a risk on the nearby A30.

- Wessex Water has classified this area a high risk zone and believed this proposal would have an impact on the capacity of the current sewerage system.
- Site comprises rich eco-system supporting many protected species.
- Bat survey has identified endangered species and highly vulnerable at this time, therefore a comprehensive survey should be carried out over a longer period of time to provide a clearer picture and to ensure there is no significant impact on ecology and biodiversity.
- Appreciate the work undertaken to provide an acceptable scheme, however do not believe the advantages outweigh the disadvantages of the scheme.
- Believed much needed social housing provision could be withdrawn and questioned the affordability.
- Disappointed that attempts to manage local concerns now at outline approval rather than at reserved matters stage have failed to be established and advantages of the scheme are far from dependable.

The Agent then addressed the committee and confirmed this proposal was revised following engagement with the Parish council, Ward member and SSDC planning officers. He said the applicant has already commenced marketing the retail unit and had received interest from two parties which would become more tangible should permission be granted. He confirmed the community hub would be gifted to the Parish council as a fully service site and suggested some CIL revenue would be forthcoming to help deliver this facility and confirmed the applicant would co-operate fully to ensure this comes forward.

He reported that the highway layout had been subject to a safety audit believing it to be an improvement on the existing situation and that the scheme provided a new market square which would enhance the public realm and act as a focal point for the development. Other benefits included affordable housing, onsite open space, significant contribution for local provision, create local employment opportunities, relates well to the existing character of the village with no objection to adverse landscape impact and would help defend other schemes currently at appeal or prevent speculative schemes on other peripheral sites.

Councillor Sarah Dyke, Ward member then spoke and raised several comments regarding the application including:

- Appreciated that the developer and agent have sought to engage the local community at an early stage and in response amended their application to include shop, provision for community hub and market square which she believed would enhance this development.
- Acknowledged that public consultation was well supported by the local community and continues to do so such is the evidence of representation to this application.
- Significant over development and would push Milborne Port into the higher tier of the settlement hierarchy and this development would far exceed the level of growth for a rural centre.
- Milborne Port would not be able to provide the necessary services the local plan advises a market town should have, with a large number of people already having to commute outside the village for work therefore hardly a sustainable village location for further development.
- This development would upset the settlement hierarchy and does not accord with Policy's SS1 and SS5 of the local plan.
- Loss of good agricultural land with a cumulative loss across the district.

- Highway safety concern with regard to the new access lane which already carries heavy agricultural traffic and traffic to other new developments in the area, and with traffic passing directly through the public centre of the development being a safety risk to pedestrians.
- With significant development already in the village this proposal will only increase congestion to the infrastructure.
- Concern regarding the displacement of parking in Station Road and assurance that appropriate parking accommodation be arranged, therefore if the application is approved an informative is specifically detailed at reserved matters stage.
- Understand that it is unlikely a main retailer would be interested in the proposed shop due to its size and viability of the proposal and concern that the offer of the shop will fall away.
- Believe the shop, community hub and public centre area are the three main attractions of this application and without the shop this focal point would not be such an attractive option or locals and visitors.
- Consider that on the evidence provided, this is not a sustainable development and the demonstrable and cumulative harm significantly outweighs the positive contributions this application would make.

The Chairman explained this application has been 2-starred under the Scheme of Delegation as all major applications will be 2-starred for the immediate future to safeguard the Council's performance, pending a more substantive review. However if this committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

During a lengthy discussion, members raised several comments with regard to the application. These included:

- Appreciate concerns raised, however we need to adhere to government policy and the requirements set.
- Reassurance that ecology and biodiversity concerns are met including the provision of swallow and swift boxes within the development.
- The proposed width of pavement to be inadequate and that the request to install a wider footway be met in order to ensure the highway safety of pedestrians.
- Believe this application has a lot to offer Milborne Port and therefore need to secure the wishes of the local community.
- Voiced frustration that the application had been 2- starred.
- Insufficient local provision including doctors, public transport and local schools.
- This development would upset the settlement hierarchy and push Milborne Port into another level without the provision that goes with it.
- Does not provide evidence and demand for the growth proposed such as lack of employment opportunities, enhancement of local facilities and therefore does not add sustainability to the village in comparison to other larger villages within the district.
- Owing to the Council's inability to provide a five year land supply we are being asked to support an unacceptable level of housing development to this area.
- Believed some development was needed to sustain and enhance the village, however hesitant regarding the viability of the current proposal.
- Applauded the work already undertaken by the local community regarding this application.
- Believe this application is a 'step too far' for what is considered a rural settlement.

- Continually asked to approve housing development within the area but fail to provide sufficient employment land at the detriment to the local communities.

The Senior Planning Advisor welcomed the discussion and engagement of members and explained the function and purpose of the planning authority when providing a balanced recommendation. He noted and clarified to members the objections raised on the following issues:

- Settlement Hierarchy and failure to supply sufficient community facilities.
- Traffic and access.
- Water pressure and supply.
- Loss of hedgerows and wildlife L
- Loss of agricultural land.
- Concern about the future of the village.
- Loss of shops
- Swift and swallow boxes
- Concern about bats.
- Lack of employment floor space.

Following a short discussion it was proposed and seconded to refuse the application based on the reasons raised during the debate. Members then agreed to adjourn the meeting to finalise and agree the full wording for the reasons for refusal.

Following the adjournment the Senior Planning Advisor then suggested the proposed reasons for refusal as follows:

Area East Committee resolved to be minded to refuse the application and it be referred to Regulation Committee for a decision.

Area East Committee argues that because of the overall growth in Milborne Port - the village is now (as set out in the officer report from Planning Policy) "approaching the upper limits of permissible growth". As such the provision of essential enhancements to community infrastructure is a current critical matter. The scheme fails to comprehensively deliver an on site or in town new convenience store and community hub to support this proposed growth, and as such is contrary to SSDC Local Plan Policies SS1 and SS5

Area East Committee further commented that with regard to the scheme, there remains further concerns and doubt with regard to the following matters:

- Adequate provision of water pressure and supply
- Possible flood alleviation
- The loss of some important hedgerow and wildlife assets
- The appropriate management of congestion and parking demand
- And the lack of formal provision of employment uses to support less commuting"

Members agreed with the reasons for refusal and requested that an informative be included to ensure the implementation of a bat survey and that footpath links be considered should the application be approved.

On being put to the vote this was carried by 5 votes in favour, 2 against and 0 abstentions.

RESOLVED: That Planning Application No. **17/03985/OUT**** be REFERRED to the Regulation Committee with a recommendation from Area East Committee that the application be refused for the following reasons:

Area East Committee argues that because of the overall growth in Milborne Port - the village is now (as set out in the officer report from Planning Policy) "approaching the upper limits of permissible growth". As such the provision of essential enhancements to community infrastructure is a current critical matter. The scheme fails to comprehensively deliver an on site or in town new convenience store and community hub to support this proposed growth, and as such is contrary to SSDC Local Plan Policies SS1 and SS5

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- The appropriate management of congestion and parking demand
- And the lack of formal provision of employment does not support less commuting"

(voting: 5 in favour, 2 against, 0 abstentions)

79. 18/02133/LBC - The Coach House, West Street, Ilchester (Agenda Item 13)

Application Proposal: The carrying out of internal alterations to create an opening in kitchen wall.

The Chairman advised that the planning application had been withdrawn and the report was not discussed further.

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Chairman