

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **The Guildhall, Fore Street, Chard, TA20 1PP on Wednesday 16 August 2017.**

(5.30 - 9.03 pm)

Present:

Members: Councillor Val Keitch (Chairman)

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| Jason Baker | Garry Shortland |
| Marcus Barrett | Andrew Turpin |
| Dave Bulmer | Linda Vijeh |
| Paul Maxwell | Martin Wale |
| Ric Pallister | |

Officers:

| | |
|---------------|-----------------------------------|
| Helen Rutter | Communities Lead |
| Zoe Harris | Area Development Lead (West) |
| Dylan Martlew | Neighbourhood Development Officer |
| David Norris | Development Manager |
| Andrew Gunn | Area Lead (West) |
| Paula Goddard | Senior Legal Executive |
| Chloe Beviss | Planning Assistant |
| Angela Cox | Democratic Services Manager |

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

28. To approve as a correct record the Minutes of the Previous Meeting held on 19th July 2017 (Agenda Item 1)

The minutes of the meeting held on 19th July 2017, 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 meeting.

29. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Best, Amanda Broom, Carol Goodall, Jenny Kenton, Sue Osborne and Angie Singleton.

30. Declarations of Interest (Agenda Item 3)

At the time the item was discussed, Councillors Val Keitch and Linda Vijeh declared a personal interest in Agenda item 12: Planning application 16/05500/OUT – Land South West of Canal Way, Ilminster as the District Council Ward Member for Ilminster and the Somerset County Council Divisional Member for the area, respectively.

31. 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 20th September 2017 at 5.30pm at the Guildhall, Chard.

32. Public Question Time (Agenda Item 5)

It was agreed that members of the public present would speak at the time the Agenda items would be discussed.

33. Chairman's Announcements (Agenda Item 6)

There were no announcements from the Chairman.

34. Town Centre Events Grants Programme (Executive Decision) (Agenda Item 7)

The Neighbourhood Development Officer advised that the application was for a one-off grant programme to help boost the economy and increase footfall within the towns of Chard, Ilminster and Crewkerne. Organisations would be encouraged to collaborate and add to existing events to stimulate the local economy. There would be two periods to accept applications to separate the opportunities and start the events early. He asked that Members support the allocation of £4,500 funding.

During discussion it was noted that Town Councils could be excluded from applying as they would have reserve funds. It was agreed to adjust the scheme and guidance to clarify that these would be uncommitted reserves.

It was further clarified that a proposed event could take place on the periphery of a town provided the organisers could demonstrate an increase in footfall to the towns retail businesses.

At the conclusion of the debate, Members supported the allocation of funding towards the Town Centre Events Grants programme to boost town centre footfall and retail engagement in Chard, Crewkerne and Ilminster.

RESOLVED: That Area West Committee agreed to:-

- i. note the content of the report.
- ii. support the proposed Town Centre Events Grants programme.
- iii. allocate £4,500 to the Town Centre Events Grants programme from the Area West revenue budget.

Reason: To confirm additional grant funding to boost town centre footfall and retail engagement in Chard, Crewkerne and Ilminster.

(Voting: unanimous in favour)

35. Community Grants for Play Areas (Executive Decision) (Agenda Item 7a)

Merriott

The Committee were addressed by Mr I Hall of Merriott Parish Council who spoke in support of their application for funding towards phase 2 of improvements to the recreation field. He said the local residents had been consulted and the Parish Council had increased their precept to fund the initial works. He confirmed that although the work was planned over 4 phases, this would be the only application to the District Council for assistance.

The Neighbourhood Development Officer confirmed that the multi-use access route was now complete at the recreation field and it was now planned to install play equipment targeted at younger children. He recommended the application be supported.

During a brief discussion, Member were supportive of the proposal and when put to the vote, unanimously agreed to grant £5,000 to Merriott Parish Council towards Phase 2 of improvements to the Recreation Field.

Crewkerne

The Committee were addressed by Mr B Hodgson of Crewkerne Town Council who spoke in support of their application for funding towards play equipment at Henhayes Play Park.

The Area Development Lead (West) confirmed the Town Council had been improving the park over a number of years and the proposed equipment would be versatile for children of all ages.

During a brief discussion, Members were supportive of the proposal but asked that advice be sought from the SSDC leisure team on the durability of wooden play equipment. When put to the vote, it was unanimously agreed to grant £8,041 to Crewkerne Town Council towards Phase 2 of enhancement work at Henhayes Play Park.

RESOLVED: That subject to the standard terms and conditions for grants, the Area West Committee agreed:

- i. to grant £5,000 to Merriott Parish Council towards Phase 2 of improvements to the Recreation Field from the Area West capital grants programme budget.
- ii. to grant £8,041 to Crewkerne Town Council towards Phase 2 of enhancement work at Henhayes Play Park from the Area West capital grants programme budget.

Reason: To confirm two grant requests towards improving play areas in Crewkerne and Merriott.

(Voting: unanimous in favour)

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

The Communities Lead advised that the report from the One Public Estate Programme would be delayed until October or November and a report on the Half Year progress of the Area Development Programme would be presented in December. This would not affect the Chard Regeneration Scheme.

Members were content to note the Area West Committee Forward Plan as amended.

RESOLVED: That the Area West Committee Forward Plan be noted (as amended)

37. Schedule of Planning Applications to be Determined by Committee (Agenda Item 9)

Members noted the schedule of planning applications to be determined as outlined in the agenda.

38. Planning Application 17/02156/FUL - 45 Nursery Gardens, Chard (Agenda Item 10)

Application Proposal: demolition of existing lean to extension and detached garage and the erection of a two storey side extension and single storey rear extension to dwellinghouse

The Planning Assistant introduced the report with the assistance of a power point presentation. She advised that although there was potential for overlooking neighbouring properties from the new extension, it would not be more significant than currently existed. It was also proposed to increase the number of car parking spaces on the front garden. She confirmed that her recommendation was to grant permission.

In response to questions from Members, the Planning Assistant confirmed that the extension would not project any further forward than the existing front elevation of the house, and, any impact on the neighbouring garage would be a civil matter to resolve.

Mr T Coleman spoke in opposition to the application. He said that he had taken advice from a planning consultant who had advised him that the submitted plans did not contain sufficient detail on footings, party walls or impact upon neighbouring residents. He also referred to the planning history at the site and Policy EQ2 which protected the residential amenity of neighbouring properties.

Mr P Loaring, the applicant, said there were other double storey extensions on the same street and so his proposal was in keeping with others. He also noted that he would be creating 3 new car parking spaces at the front of the property which he wished to improve and be a long term family home.

The Ward Member, Councillor Dave Bulmer, said the application was difficult as many of the issues raised were a civil matter and there were no substantial planning reasons to refuse permission.

During a brief discussion, Members noted that there were similar extensions in the local area and while the proposed extension was marginally different, it was not sufficient to refuse permission.

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

RESOLVED: That Planning Application No. 17/02156/FUL be **APPROVED** as per the Planning Officer's recommendation for the following reason:

01. The proposals, by reason of their scale, siting, design and materials, will cause no significant adverse impact to residential or visual amenity whilst providing sufficient parking in accordance with the aims and objectives of Policies TA5, EQ2 and EQ3 of the South Somerset Local Plan (2006 - 2028) and the policies of the National Planning Policy Framework (2012).

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:

Amended Block Plan received 24th July 2017
Drawing No. 4:7 received 15th May 2017
Drawing No. 5:7 received 15th May 2017
Drawing No. 6:7 received 15th May 2017
Drawing No. A:A received 12th July 2017

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

03. The new driveway and drainage measures, as indicated on the approved plans, shall be installed and made available for the parking of vehicles prior to the first occupation of the development hereby approved.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset local Plan (2006-2028).

04. The area allocated for parking on the approved plans shall be kept clear of obstruction 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

Informative:

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a

Section 184 Permit. This must be obtained from the Highway Service Manager on 0300 123 2224. Applications for such a permit should be made at least four weeks before access works are intended to commence.

(Voting: unanimous in favour)

39. Planning Application 17/02272/S73A - Lynash Nurseries, Boozers Pit, Merriott (Agenda Item 11)

Application Proposal: to remove condition 02 (agricultural workers occupancy) from planning permission 04/02261/FUL

The Development Manager introduced the report and advised that an application for an agricultural workers dwelling at the site had been approved in 2004 with a Section 106 condition that the property only be occupied by people in agricultural or horticultural occupation, or, their last occupation was agricultural or horticultural business. The application had only been approved with the condition as it was a new building in open countryside. He said that no open marketing exercise had been carried out and no supporting evidence had been submitted with the application.

In response to questions from Members, the Development Manager confirmed that:-

- the applicant had not carried out any marketing exercise as they said that they did not wish to sell the property.
- Planning Policy HG10 was a robust policy to justify the need for a new dwelling in open countryside.

Mr A Booth, agent for the applicant, clarified that the applicants only owned the 7.3 acres of land alongside the property and the field edged in blue in the presentation slides had been sold in 2015. He confirmed that the valuation of £600,000 listed in the report was taken before the sale of the adjacent land. Because of the unusually large size of the house and small acreage of land with no permanent outbuildings, it would not be attractive to a farmer. He said that policy HG10 was not relevant in this instance and the well-being of the applicants should be considered as they did not wish to sell the property.

The Development Manager clarified that the application plans had been submitted with the blue line around the adjacent field, indicating ownership and they had not been advised that it had been sold. He also noted that the valuation of the land and property would increase by a third if the agricultural condition was lifted.

The Ward Member, Councillor Paul Maxwell, advised that this was a small specialised nursery which could no longer compete with its larger competitors. The large house and small acreage made it uneconomic for an agricultural living. He confirmed that the applicants did not wish to sell the property but their health was such that they would not be able to operate the nursery business for much longer. He concluded that the agricultural tie was no longer appropriate and should be lifted.

During discussion, varying views were expressed. Some members felt that every application should be considered on its individual merits whilst others felt that the 18 month marketing exercise should be carried out before any consideration be given to lifting the agricultural tie, as the applicants currently complied with the condition.

Councillor Paul Maxwell proposed that the agricultural tie to the property be lifted, contrary to the officer's recommendation and an early review of Policy HG10 be made. This was seconded, however, on being put to the vote, it was lost (voting: 3 in favour, 6 against 0 abstentions). It was then proposed to refuse the application as per the officer's recommendation and on being put to the vote the proposal was carried by 6 votes in favour, 3 against and 0 abstentions.

At the conclusion of the debate, the Area West Committee requested that an early review of planning policy HG10 be made to the planning policy team.

RESOLVED: That Planning Application No. 17/02272/S73A be **REFUSED** as per the Planning Officer's recommendation for the following reason:

01. The application lacks evidence that the property has been appropriately marketed and that there is no longer a need for the continued use of the occupancy condition, no. 02 on planning permission 04/02261/FUL, contrary to Policy HG10 of the South Somerset Local Plan 2006-2028, and the NPPF.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

(Voting: 6 in favour, 3 against, 0 abstentions)

40. Planning Application 16/05500/OUT - Land South West of Canal Way, Ilminster (Agenda Item 12)

Application Proposal: outline application for residential development for up to 400 dwellings with associated access

The Area Lead West introduced the report to the Committee with the assistance of power point slides of the site. He noted that the proposed area of open space had been amended and was now within the parish of Ilminster, not Donyatt. Since writing his report, one further letter of objection had been received from the CPRE. He referred to the number of dwellings listed for Ilminster in the Local Plan and said that although the proposal would exceed that number, it was similar to that allowed at Ansford and Castle Cary. There were no objections from statutory consultees and the site could be built in phases. The site was a sustainable location and the principle of development had been accepted therefore he recommended approving the application.

In response to questions from Members, the Area Lead West and the Development Manager confirmed that:-

- Condition 10 of approval ensured that footpaths and cycleways connections were constructed prior to occupation of any of the houses.

- The Lead Flood Authority had added 30% to their calculations due to climate change. The developer would be responsible for ensuring surface water was adequately dealt with.
- The Highway Authority had originally objected to the second emergency access as they thought that it was proposed as an open access.
- The single point of access was a concern for the Landscape Officer however, the Highway Consultant felt it was acceptable.
- The 20 hectare site was within the acceptable limit of 40 dwellings per hectare, excluding buffer zones.
- The Local Plan confirmed that there was a need for housing in the district and the site was allocated for housing by the District Council and Plan Inspector.
- Government advice was to support development unless there was demonstrable evidence of adverse harm.
- The SCC Highways Department were impartial and there was no link between them and the SCC Estates Department. An independent Highways Consultant would be very expensive to engage.
- The professional consultants engaged by the applicants were impartial and the information which they submitted was scrutinised.

Mr A Shearman of Ilminster Town Council said the application had been discussed by them on a number of occasions and there was concern at the lack of infrastructure provided, the single access point, the time of day which the traffic survey had been conducted, the current flooding on the fields, the traffic diverted through Ilminster when the by-pass was closed and the policing of the proposed emergency access.

Mr B Porritt of Donyatt Parish Council said that although they were appreciative that no land in Donyatt now formed part of the application, they were still apprehensive and needed assurance and an undertaking that no land in Donyatt would be included in any future development.

The Committee were then addressed by 14 members of the public who were objecting to the development. Their comments included:-

- 400 houses is too many for one site in Ilminster.
- Concerned at the impact on amenities such as Doctors and Dentist Surgery and also the additional pressure on the sewerage system which already creates problems for residents in Summerlands.
- Persimmon Homes were not adequately maintaining the existing drainage ponds for their existing development at Adams Meadow.
- The site is too far for elderly residents to walk to the town centre facilities so increasing the reliance on cars.
- There was no car park for the recreation ground so Canal Way was already full of parked vehicles.
- The CPRE have written to say that the scale of the development would have an adverse social impact upon the town.
- More houses are proposed with no additional employment so there will be an increase in people travelling to work.
- The proposed pedestrian crossings on Canal Way will increase existing traffic problems.
- The proposed number of houses is 288 above the Local Plan allocation for Ilminster.

- Only one entrance and exit to the proposed development will create major traffic problems.
- The farmer does not seed the bottom 30-40 yards of the first field as it floods very badly.
- A five way roundabout with a cycleway is the only proposed access to the site.
- County Highway objections appear to have been overcome by two pedestrian crossings and the realignment of the entrance to the Doctors Surgery.
- The second access was objected to by the Highway Authority but this was withdrawn when the access was changed to emergency only.
- Use should be made of the Horlicks site for a mixed development to encourage service industries to the town.
- The proposed development would increase the population of the town by one fifth
- There is no account of wildlife disturbance at the site.
- Has approval been obtained from the Parrett Drainage Board on a sustainable drainage system?

Mr A West, the agent for the applicants, said that only the principle of development was sought and the detail of the number of properties and design would be confirmed at the reserved matters stage. He noted there were no objections from the statutory consultees and that the area of land was allocated for development in the current Local Plan. A flood risk assessment would be provided for each phase and the objection to the second access point has been a misunderstanding – there was no conflict between SCC and the developers.

As County Division Member, Councillor Linda Vijeh said that many of the comments raised by the public showed that there would be adverse harm from the proposed development, however, the site was allocated for development in the Local Plan. She referred to traffic movement and speed indicator guidance and government statistics which she had accessed which she felt the proposed development could lead to an additional 1,000 vehicle movements along Station Road per day. She said there was a case for an independent travel plan to be drawn up to show the impact of the development and she recommended that the application be deferred to clarify highways issues, a travel plan, a site master plan and any impact upon flooding.

The Ward Member, Councillor Val Keitch, said that although this was the allocated direction of growth for the town, she had concerns at the density, access and other highway issues. She referred to the current difficulty in obtaining a doctors appointment at the surgery and the lack of employment opportunities in the town. She said that she wished to see young people working and able to afford to buy houses in Ilminster and the proposed 400 houses was too many for the town.

In response to a question, the Development Manager cautioned Members that if they were minded to refuse the application, it could result in substantial costs being awarded to the developer in the case of a successful appeal and so he would recommend referring the application to the Regulation Committee.

During discussion, some Members expressed concern at the lack of safe cycling routes and links to major towns, the potential for flooding, the single point of access and the overall number of houses proposed. Although it was noted that some of these issues would be clarified at the Reserved Matters stage, Members felt the application should be deferred for further clarification on highway issues.

At the conclusion of further debate on the proposed number of houses, it was proposed and seconded to refer the application to the SSDC Regulation Committee with a recommendation of refusal from the Area West Committee. On being put to the vote the proposal was carried by 8 votes in favour, 0 against and 1 abstention.

The Development Manager clarified that the applicant would have the right to appeal to the Planning Inspectorate for non-determination of the application.

RESOLVED: That Planning Application No. 16/05500/OUT be **REFERRED TO THE SSDC REGULATION COMMITTEE** with a recommendation of refusal from Area West Committee for the following reason:

01. The applicant has failed to demonstrate that the proposed scale of growth which significantly exceeds the Local Plan targets will not have an adverse impact upon local infrastructure and amenity

(Voting: 8 in favour, 0 against, 1 abstention)

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Chairman