

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 17 April 2019**.

(5.30 - 7.43 pm)

Present:

Members: Councillor Jason Baker (Chairman)

Dave Bulmer
Val Keitch
Jenny Kenton
Paul Maxwell
Sue Osborne

Ric Pallister
Garry Shortland
Angie Singleton
Andrew Turpin
Linda Vijeh



Officers:

Tim Cook
Adrian Moore
Tim Youngs
Simon Fox
Mike Hicks
Angela Cox

Locality Team Manager
Locality Officer
Blackdown Hills AONB Manager
Lead Specialist (Planning)
Specialist (Development Management)
Democratic Services Specialist

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

144. To approve as a correct record the Minutes of the Previous Meeting held on 20th March 2019 (Agenda Item 1)

The minutes of the previous meeting held on 20th March 2019 were approved as a correct record and signed by the Chairman.

145. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Marcus Barrett, Mike Best, Amanda Broom and Martin Wale.

146. Declarations of Interest (Agenda Item 3)

Councillor Sue Osborne declared a personal interest in Agenda Item 12 – Planning Application 18/03373/COU, as the Ward Member.

Councillor Linda Vijeh declared a personal interest in Agenda Item 12 – Planning Application 18/03373/COU, as the SCC Ward Member.

147. 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 19th June 2019 at 5.30pm at The Guildhall, Chard.

148. Public Question Time (Agenda Item 5)

There were no questions from members of the public present.

149. Chairman's Announcements (Agenda Item 6)

The Chairman advised that a note of thanks had been received from Crewkerne Bowling Club following their successful grant application and an invitation was extended to all members of the Committee to attend a play bowls open day at the Club on Sunday 5th May 2019.

150. Blackdown Hills Area of Outstanding Natural Beauty (AONB) Management Plan Adoption (Agenda Item 7)

The Locality Officer advised that the report asked the Committee to adopt the Blackdown Hills Area of Outstanding Natural Beauty Management Plan 2019-2024 on behalf of SSDC.

He introduced Tim Youngs, AONB Manager, who advised that this was a 5 year review of the Blackdown Hills Area of Outstanding Natural Beauty Management Plan. Wide public consultation had taken place which had resulted in a more concise plan. He said once the plan was adopted, further annexes would be added before it was published.

There was no debate and Members unanimously agreed to to adopt the Blackdown Hills Area of Outstanding Natural Beauty Management Plan 2019-2024 at Appendix A on behalf of SSDC.

RESOLVED: That the Area West Committee agreed to adopt the Blackdown Hills Area of Outstanding Natural Beauty Management Plan 2019-2024 at Appendix A on behalf of SSDC.

Reason: To ensure that statutory obligations are met by SSDC by jointly producing a management plan for the Blackdown Hills Area of Outstanding Natural Beauty (AONB).

(Voting: unanimous in favour)

151. Chard Regeneration Scheme Town Centre Regeneration Public Consultation Feedback (Agenda Item 8)

The Chairman noted that the Chard Regeneration Project Manager was unable to attend the meeting and asked that Members were happy to note the report.

It was commented that the public consultation event held the previous month had been very successful and highlighted the importance of the scheme to the town.

RESOLVED: That the Area West Committee agreed to note the Chard Regeneration Scheme Town Centre Regeneration Public Consultation Feedback report.

152. Area West Committee Forward Plan (Agenda Item 9)

During discussion, Members asked that a report on historic buildings at risk in the area be added to the Forward Plan. It was also noted that a report on the Chard Regeneration Scheme at the first meeting in June would be helpful to new Councillors joining the Committee.

RESOLVED: That the Area West Committee Forward Plan be noted as attached to the agenda subject to the following additional reports:-

- Update on Chard Regeneration Scheme – June 2019
 - Historic buildings at risk - TBC
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153. Planning Appeals (Agenda Item 10)

During a brief discussion it was noted that additional training for Members in the presentation of statements at planning appeal hearings would be helpful and welcome.

Members noted the report detailing two planning appeals, one which had been allowed and one which had been dismissed.

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

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

155. Planning Application 18/03373/COU - Chaffcombe Waste Transfer Station, Chaffcombe Road, Chard (Agenda Item 12)

Application Proposal: Change of use of existing transfer station site to aggregate storage/sales and parking of heavy goods vehicles

The Specialist – Development Management presented the application as detailed in the agenda and explained that the application was for the change of use of the former household waste recycling site to accommodate aggregate storage and sales and for the storage/parking of articulated vehicles. Since writing his report, one further letter of objection had been received and one further letter from the applicants. He concluded that it was considered a brownfield site and the proposed use was acceptable subject to conditions and so his recommendation was to approve the application.

In response to questions from Members, the Specialist – Development Management confirmed:-

- Many of the objections had centred on the impact of the business on neighbours but it was proposed to relocate their most popular product to a storage bay in the new site to reduce the impact.
- The adjacent site had an existing road frontage access so it would be logical to use that rather than the more difficult access to this site.
- It would be difficult to introduce a condition to monitor the impact of the heavy lorries on the nearby road bridge but this could be included as an informative if permission was granted.
- There were no buildings on the new site so reference to buildings in condition 8 should be removed.
- Reference to the applicants obligations under the Reservoir Act 1975 could be included as an informative.
- No specific figures on traffic movements from when the site was operating as an HWRC compared to the proposed use had been submitted by the applicants.
- It was possible to amend condition 10 to state that no system of public address, loudspeaker, amplifier, relay or other audio equipment, except vehicle fitted warning systems, should be operated on any part of the site at any time.
- The proposed landscaping should help to mitigate the visual impact of the site.

The Committee were then addressed by 5 people in opposition to the application. Their comments included:-

- In 10 years of operation, the applicants had not complied with previous conditions of operation. Concrete mixing, spray painting, soil riddling and excessive hammering still took place and residents complained of the noise and dust from the site.
- Sprinklers at the site would help to reduce the dust but the noise of concrete mixing and soil riddling were unacceptable.
- 10 years ago the Chard Reservoir site was not as developed but now it was recognised as a local nature reserve and held Green Flag status. With 700 new homes planned to be built in Chard, it would be used even more and the impact of the noise from the aggregate storage and associated works would have a greater impact.
- Planning regulations appeared to assume that a once brownfield site for household recycling was still in force but permission for this use at this site would not be granted now. N The development of the reservoir and the use of the road by walker and cyclists should be taken into account.
- The Parish Council's support of the application was not representative of the people of the village. The business should be re-sited in a more suitable place.

The Committee were then addressed by 2 people in support of the application. Their comments included:-

- There used to be a hedge between the road and the site and if it were reinstated then it could help. Most people in the village had purchased goods from the site and it was a good local company.
- This was a small family business in a competitive industry who provided employment. Their location close to the reservoir was already established and they would enhance the derelict site and bring it to an acceptable standard.

The applicant advised that they had commissioned a vehicle mapping study which confirmed that two vehicles could pass each other on the Chaffcombe Road. She said they would not access the Chaffcombe site outside their agreed operating hours and the majority of their vehicles were low Euro 6 emission standard. There was no PA address system at the site and there was no need for one. The Health and Safety Executive had agreed the removal of reversing silencers on certain vehicles but not the lorries at the site.

The Ward Member said the needs of the business should be weighed against the nearby Chard Reservoir and its priority to SSDC. She suggested the application be referred to the Regulation Committee because of its proximity to the reservoir. She concluded that she reluctantly supported the application as it provided local employment.

During discussion Members felt that the application was acceptable on an existing brownfield site and there were no valid reasons to refuse permission. It was also noted that Area Committee should be prepared to make planning decisions in their area. It was agreed to amend conditions 8 and 10 to prevent soil riddling at the site, and, except vehicle fitted warning systems there should be no PA system. With these two amended conditions and two informatives relating to the current structural integrity of the bridge and to remind the applicant of their obligations under the Reservoir Act 1975, it was proposed and seconded that planning permission be approved. This was unanimously agreed.

RESOLVED: That Planning Application No. 18/03373/COU be APPROVED as per the Specialist's recommendation outlined in the agenda report for the following reason:

01. The proposed change of use is considered to be an acceptable form of commercial development, respects the character of the area and is not considered to be detrimental to highway safety or cause any unacceptable harm to residential amenity, in accordance with the aims and objectives of policies EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

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. No operations, other than lorry movements and deliveries, shall be carried out at the site outside the hours of 07.00 hrs and 18:00 hrs Monday to Friday and 08:00 hrs and 13:00 hrs on Saturdays.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

03. All lorry movements for access and egress to the site outside the hours of 07.00 hrs and 18:00 hrs Monday to Friday and 08:00 hrs and 13:00 hrs on Saturdays shall be made through the primary

access off the highway illustrated on the approved block plan. There shall be no vehicular access to the site outside the above hours via the existing commercial site.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

04. Prior to their installation, details of the aggregate bays in general accordance with the site plan shall be submitted and approved in writing. There shall be no further development of aggregate storage within the site without the prior express grant of planning permission.

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

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping to include details of planting to the road frontage, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the amenities and character of the area to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

06. All Plant and machinery shall be fitted with effective silencers, details of which shall be submitted to and agreed in writing by the Local Planning Authority and shall be implemented before the development hereby permitted is first commenced and thereafter fully maintained.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

07. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully

provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

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

08. No manufacturing, fabrication or other industrial process, including soil riddling shall take place within the confines of the site.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

09. There shall be no burning of any produce of material whatsoever on the site other than in a properly installed incinerator within a building.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

10. No system of public address, loudspeaker, amplifier, relay or other audio equipment, except vehicle fitted warning systems, shall be operated on any part of the subject land at any time.

Reason: To safeguard the amenities and character of the area and in the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

11. Before the development hereby permitted is commenced the applicant shall provide information to the Local Planning Authority on the access point to the site, including autotrack drawings for the largest vehicles to use the site showing the access can be used efficiently. In the event of conflicts arising, prior to occupation the existing access and parking space locations shall be modified to ensure two lorries can pass within the access point and not be a hindrance to existing highway users. The access and parking and turning shall be implemented and retained in perpetuity in accordance with the approved details'.

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

12. Prior to the commencement of the use hereby permitted is commenced, a scheme for the relocation of existing loose aggregate from the existing site shall be submitted and approved in writing by the Local Planning Authority. Following the commencement of the permitted use, the affected existing aggregate bay shall not be used for storage of loose aggregate and shall be retained as such in perpetuity.

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

Informative 1 –

The applicant is requested to contact the Highway Authority in advance of commencing the use hereby approved to ascertain whether it is necessary to record the current structural integrity of the bridge at the head of the reservoir.

Informative 2 –

The applicant is reminded of their obligations under the Reservoir Act 1975.

(Voting: unanimous in favour)

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Chairman