

South Somerset District Council

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

(5.30 pm - 7.42 pm)

Present:

Members: Councillor Robin Pailthorpe (Chairman)

Mike Best	Tricia O'Brien
Dave Bulmer	Sue Osborne
Brian Hamilton	Robin Pailthorpe
Val Keitch	Garry Shortland
Jenny Kenton	Anthony Vaughan
Paul Maxwell	Linda Vjeh



Officers:

Jo Morris	Case Services Officer (Support Services)
Andrew Gunn	Specialist (Development Management)
Paula Goddard	Specialist (Legal)
Chereen Scott	Specialist (Strategic Planning)
Louisa Brown	Specialist (Development Management)
Tim Cook	Locality Team Manager

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

Councillor Paul Maxwell was elected Vice-Chairman for the meeting.

173. To approve as a correct record the Minutes of the Previous Meeting held on 19 June 2019 (Agenda Item 1)

The minutes of the previous meeting held on 19th June 2019 were approved as a correct record and signed by the Chairman.

174. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Jason Baker and Martin Wale.

175. Declarations of Interest (Agenda Item 3)

Councillors Val Keitch and Brian Hamilton declared personal interests in Planning Application No. 18/03454/OUT – Land Adj Winterhay Lane Farm, The Beacon, Ilminster, as ward members.

Councillor Paul Maxwell declared a personal interest in Planning Application No. 19/00564/DPO – Moorlands Farm, Broadway, Merriott as the ward member.

176. 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 21st August 2019 at 5.30pm. Venue to be confirmed.

177. Public Question Time (Agenda Item 5)

The Committee were addressed by a member of the public in relation to a planning application for 10 houses in Ashill which was considered by the Area West Committee on 19th June followed by the Regulation Committee on 16th July. She wished to know on what grounds the Regulation Committee could ignore the guidance set out in Policy EQ3 of the South Somerset Local Plan and advice contained within the NPPF and the South Somerset Heritage Strategy. She also referred to the Council fulfilling the Council's 5 year housing supply plan at whatever cost to the environment and local community.

Cllr. Val Keitch, Leader of the Council, agreed to provide a written response to the comments and questions raised.

178. Chairman's Announcements (Agenda Item 6)

The Chairman made the following announcements:

Local Plan public drop-in sessions would take place as follows:

Crewkerne 23rd July 4pm – 7pm

Ilminster 30th July 4pm – 7pm

Chard 8th August 4pm – 7pm

Members were asked to keep Tuesday 3rd September free as there may be an extra Area West Committee followed by Regulation for the Chard Regeneration Project.

179. Area West - Council Plan Priorities 2020/21 (Agenda Item 7)

The Specialist – Strategic Planning introduced the report which gave a summary of the priorities agreed by members at a recent workshop. She explained that the priorities that have a wider potential impact for the District would go forward for consideration as a corporate strategic priority in the Council Plan and the other priorities would be developed into the Area West Chapter.

Members made the following comments:

- With regard to Crime and Community Safety and the importance of supporting the multi-agency One Team approach, a member advised that Crewkerne have their own community safety group which is part of the Town Council and did not work with the One Team in Chard.

- The Crime and Community Safety Portfolio would now come under the Leader of the Council. A recent meeting had been held to look at the Council's approach and working with the One Teams.
- Cllr. Linda Vijeh advised that she was an independent member on the Advisory Group for Avon & Somerset Police and invited members to raise any issues to be taken forward to the next meeting.
- The potential for re-opening Chard Junction and delivering Stop Line Way were issues that should still be given some priority.

The Locality Team Manager explained that following a period of transition, members would now see progress going forward with regard to community safety. It was also important to note that some towns including Crewkerne had taken a Local Action Group approach which was different to the One Team approach operated in other areas.

Members unanimously approved the recommendations of the report.

- RESOLVED:**
1. That the proposed corporate strategic priorities be presented to District Executive for consideration for inclusion in the Council Plan.
 2. That the other priorities raised at the workshop be developed into the Area Chapter in collaboration with the chair of the committee.

(Voting: unanimous)

180. Area West Committee Forward Plan (Agenda Item 8)

Cllr. Sue Osborne advised that a community grant application would be coming forward hopefully in August from one of her parishes for a porch extension.

Cllr. Linda Vijeh agreed to provide the update on Chard and District Museum Society in December in Cllr. Jenny Kenton's absence as she was a Trustee.

It was noted that Ilminster Forum and Crewkerne Heritage Centre may no longer require SSDC member representatives but this was still to be formally confirmed.

It was confirmed that quarterly update reports would be given on the Chard Regeneration Scheme. The next report would be considered at the September Area West Committee.

RESOLVED: That the Area West Forward Plan be noted.

181. Planning Appeals (Agenda Item 9)

Members noted the report detailing two planning appeals that had been received.

182. Schedule of Planning Applications to be Determined by Committee (Agenda Item 10)

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

183. Planning Application 18/03454/OUT - Land Adj Winterhay Lane Farm, The Beacon, Ilminster (Agenda Item 11)

Application Proposal: Outline application for the erection of two dwellings with garaging

The Specialist – Development Management presented the application as detailed in the agenda. She explained that the application was seeking outline planning consent for two dwellings with garaging, with all matters reserved except the access. She informed members that the existing access was currently used for Winterhay Lane Farm and the site was located on a steeply sloping site. She displayed an indicative layout and plan of the proposal showing how the development would sit within the landscape. The main issues to be considered were visual amenity, landscape character and highway safety. Members were informed that since the publication of the agenda, a Transport Statement had been submitted. The report addressed the visibility splays and details of trip generations to and from the site. The Specialist – Development Management indicated that the visibility splays were now achievable based on the information provided, however, the Transport Statement did not provide sufficient details on how the gradient of the access and an access width of 5 metres for the first 6 metres of the access would be achieved. There was also lack of information with regard to the engineering works. She concluded that the need for additional housing was outweighed by the adverse impact on the landscape character and character of the area, there was lack of justification and detail of how the access could work and was therefore recommending refusal of the application.

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

- The applicant had not submitted adequate information to show that the access met Somerset County Council standing advice.
- The access detail had not been requested from the agent because of pre-app discussions, the site was not located for development and the main reason for refusal related to the impact on the character of the area and landscape character.
- The access could possibly be made safe but the evidence to show this had not been provided. The visibility splays were acceptable but the gradient, getting into the site safely and how the engineering works would impact on the landscape character and character of the area had not been demonstrated.
- There would need to be space for a car coming in and out of the site.
- The access was an existing access and could be used.
- SSDC's Highway Consultant could not comment on the application as he had carried out pre-app discussions with the application.
- The two brick pillars at the side were in the ownership of the applicant. Moving the pillars would make the access wider and would require the hedges to be cut back more.
- The visibility could be achieved coming out of the site.

The Committee was addressed by two people in opposition to the application. Concerns raised related to the following:

- During the construction period the access would be too narrow and steep for delivery vehicles. Some of the works could only be done by crane from the road and would require the removal of the boundary trees.

- The gradient at the edge of the site between the pavement and proposed driveway was way in excess of that recommended.
- Lorries parked in the road would obstruct traffic flow and the footpath.
- Removal of the trees would damage the footpath.
- No comprehensive and accurate level and landscape survey.
- The major alterations such as new retaining walls, boundary hedge and road would increase the suburbanisation of The Beacon.
- No evidence that the dwellings would be eco-friendly.
- Site is a green field site and too small for the development.
- No space for gardens or tree planting.
- The proposed development is on the site of an ancient orchard although the majority of trees have already been removed. Most of the orchard site would remain in the applicants control as the proposed houses are confined to the south east corner. The ancient orchard should have formed part of the application.
- The Beacon was already congested and would be made worse by these dwellings.

The Committee was then addressed by four people in support of the application. Comments made related to the following:

- Verbal advice had been obtained from a highway engineer prior to submitting the application which concluded that there were no highway issues and that the visibility splays were more than was required to meet the criteria. The application was submitted on the understanding that there would be no highway issues.
- Reference was made to the Transport Statement submitted which concluded that visibility at the site access was at least 54 metres in each direction with visibility to approaching traffic well in excess of 54 metres. There had been no injuries or accidents in the vicinity of the access in the past ten years. The access was considered appropriate for the proposed use. The potential increase in traffic movements due to change of use had been assessed and concluded that just 11 two way vehicle movements could be generated over a 12 hour period.
- The access had been used for many years.
- There was a 7/ 1/2 tonne weight restriction for heavy goods vehicles on the road.
- No problems going in and out of the existing access with vans or cars.
- Ribbon development along the entire length of the eastern side of New Road with a mix of houses and a smattering of houses on the west side. Two more houses will not make much difference.
- A lot of other land developed in Ilminster is equally steeply sloping. Ilminster was made unique by hill and vale development.

Ward Member, Councillor Val Keitch expressed her support for the development. She explained that if you were to go down to the bottom near Winterhay Farm and look up and imagine the houses on the site there would be very little loss of visual amenity. She also referred to the houses on the other side having steep accesses. She felt that the proposed architect designed houses would enhance the availability of housing in Ilminster which was an area requiring growth.

The Specialist – Development Management confirmed that the orchard could be conditioned as part of reserved matters.

During the discussion, members made the following comments:

- It was difficult to balance the landscape amenity issue without the information regarding the engineering works and highway safety.
- Support the idea of two individual properties.
- The access was lawful and being used.
- Accepted there were some issues with the site but not a reason for the application to be refused.
- Support for a smaller high quality development.
- Development would fit in with existing pattern of development.
- There were still safety risks and lack of detail on the access.
- Support for deferring the application for a month to allow detailed information to come forward so the access issues could be addressed.

It was proposed and seconded to defer the application to a future meeting of the Area West Committee in order to allow for further information on the access details to come forward. A vote was taken and there were 11 in votes and favour and 1 against.

RESOLVED: That Planning Application No. 18/03454/OUT be DEFERRED to a future meeting of the Area West Committee to allow for further information on the access details to come forward.

(Voting: 11 in favour, 0 against, 1 against)

184. Planning Application 19/00564/DPO - Moorlands Farm, Broadway, Merriott (Agenda Item 12)

Application Proposal: Application to vary Section 106 Agreement dated 27 March 2013 between South Somerset District Council and Clipper Development Partners LLP in relation to removing provision for GP surgery and pharmacy

The Specialist – Development Management explained that the application related to land at the former Moorlands Farm, Merriott. He reminded members that planning permission was granted in March 2013 for a mix of 24 residential units comprising both conversion and new build dwellings, and a GP surgery and pharmacy. The DPO (Discharge/Variation of Planning Obligation) application was seeking consent to remove Paragraph 7 of the legal agreement which prevented the construction of any other buildings on the medical centre/pharmacy plot of land for a period of 10 years. The Specialist – Development Management advised that the residential element of the scheme was nearing completion with most of the units now occupied but the medical centre had not been developed. He referred to the changes in GP provision, recruitment and accessibility to GP's and advised that the retention and recruitment of GPs was a national issue. He was not aware of any interest shown in progressing the project in Merriott and was therefore recommending that the DPO application be agreed as it was unlikely that a medical centre would be developed on the site within the 10 years set aside for the plot.

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

- He was not aware of any ongoing discussions taking place to deliver the project in Merriott.
- Members needed to consider whether the legal agreement still served a useful purpose.

- With regard to the covenant on the land, the developer has tried very hard to negotiate the matter however it was a separate issue to the planning process.

The Committee was addressed by the Parish Council representative and a member of the public in objection to the application. Their comments included:

- The legal agreement should still stand until the agreed date.
- Restricted covenant still has 3 ½ years left to run.
- The Parish Council have been in communication with NHS England, the Clinical Commissioning Group, the local pharmacist and the Ward Member about progressing a scheme.
- Somerset has been allocated a post under the NHS England enhancement recruitment scheme in a drive to try and increase GPs.
- An enhanced pharmacy for Merriott would be an alternative.
- Land should remain as a benefit to the community.
- Increase in housing in Merriott in the coming year.
- Increasingly difficult to book a doctor's appointments at other surgeries.
- Poor public transport making it difficult for people to access surgeries.

The Committee was then addressed by a member of the public in support of the application. Comments raised related to the following:

- Difficulties in recruiting GPs/nurses
- Not enough parking spaces provided for the centre
- Not feasible in this area
- Lack of funding

The Applicant advised that he had received an email from the owners of the land, stating that lines of communication regarding the proposed surgery/pharmacy have always been open but there had been no take up for the project. He advised that the holder of the covenant had submitted his support for the application.

Ward Member, Councillor Paul Maxwell commented that the main reason the original application was approved was on the basis of the doctors surgery and pharmacy being provided. The project had been an aspiration for the village for many years. He advised there were a number of ongoing meetings being held to try and progress a project. He was of the view that there were still several years left for a project to come forward and the S106 agreement should be kept in place until the expiry date as a scheme could still happen.

During the discussion, members made the following comments:

- The principal reason for approving the application was the supply of the doctors surgery and pharmacy and the housing was secondary.
- Crewkerne surgery was already under pressure.
- Merriott was a significant size village and still growing.
- The agreement still had 3 ½ years left to run.
- Government funding and priorities was always changing.
- Curtailing the agreement early was not in the best interest of Merriott.
- Developers should be encouraged to stick to the S106 agreements first made.

It was proposed and seconded to refuse the Specialist – Development Management’s recommendation and to keep the S106 Agreement in place. On being put to the vote this was unanimously agreed.

RESOLVED: That the requirement of Paragraph 7 of Schedule 1, Part 1, of the Section 106 Agreement dated 27th March 2013, in relation to the doctors surgery and/or pharmacy plot, is still considered to serve a useful purpose. Planning Application 19/00564/DPO is therefore refused.

(Voting: unanimous)

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Chairman