

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 11 December 2019**.

(5.10 - 9.50 pm)

Present:

Members: Councillor Jason Baker (Chairman)

Mike Best
Dave Bulmer
Martin Carnell
Brian Hamilton
Val Keitch

Paul Maxwell
Tricia O'Brien (from 5.45pm)
Robin Pailthorpe
Martin Wale



Officers:

Jo Morris
Paula Goddard
Debbie Haines
Colin Begeman
Simon Fox
Alex Skidmore

Case Officer (Strategy & Commissioning)
Specialist - Legal Services
Locality Team Leader
Agency Planner
Lead Specialist - Development Management
Specialist - Development Management

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

241. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Jenny Kenton, Garry Shortland and Anthony Vaughan.

242. Declarations of Interest (Agenda Item 2)

Councillor Martin Wale declared personal interests in Planning Application Nos. 19/02401/FUL and 18/04057/OUT** as the Ward Member. He also declared a personal interest as he lived in the vicinity of Planning Application No. 19/02401/FUL and in close proximity to Planning Application Nos. 18/04057/OUT** and 19/00074/FUL**.

Councillor Martin Carnell declared a personal interest in Planning Application No. 19/00074/FUL** as the Ward Member.

Councillor Dave Bulmer declared a personal interest in Planning Application No. 19/00074/FUL** as a member of Chard Town Council.

243. Date and Venue for Next Meeting (Agenda Item 3)

Members noted that the next scheduled meeting of the Area West Committee would be held on Wednesday 22nd January 2020 at 5.30pm at The Guildhall, Chard.

244. Public Question Time (Agenda Item 4)

The Committee was addressed by two members of the public in relation to the planning application submitted by Lidl for the erection of a 2.4 metre hoarding around the perimeter of the site located on Boden Street, Chard. Concerns raised related to the following:

- Visual impact on nearby properties
- Impact on the value of nearby properties
- Effect on the access into the town
- Concerns about the rubbish accumulating in the area
- Businesses being affected in the town due to decrease in footfall
- Lack of information over future plans for the old Lidl site
- Boarding up of the area would be an eyesore
- The site should be maintained and kept clean until plans for redevelopment are published and not boarded up
- No lighting on the site

The Ward Member, Cllr. Jason Baker noted the comments raised and confirmed that the lighting surrounding the Lace Mill car park and the Library was now working and should be staying on throughout the night. He also advised that the planning application was shortly due to be considered by Chard Town Council and urged the members of the public to attend the meeting to express their concerns.

245. Chairman's Announcements (Agenda Item 5)

The Chairman made no announcements.

246. Area West Committee - Forward Plan (Agenda Item 6)

Members noted the Forward Plan as attached to the agenda.

RESOLVED: That the Area West Committee Forward Plan be noted as attached to the agenda.

247. Planning Appeals (Agenda Item 7)

The Committee noted the report which gave details of four appeals received and one appeal dismissed.

RESOLVED: That the report be noted.

248. Schedule of Planning Applications to be Determined by Committee (Agenda Item 8)

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

249. Planning Application 19/02401/FUL - Ridgeleigh, Chardleigh Green, Wadeford (Agenda Item 9)

Application Proposal: The erection of 2 No. dwellings and the erection of a detached garage to serve Ridgeleigh and alterations to existing vehicular access

The Specialist – Planning presented the application as detailed in the agenda and outlined the key considerations which were principle of development – sustainability, visual amenity, residential amenity and highway safety. She advised that the application was recommended for refusal based on sustainability. She explained that Wadeford was a small settlement with only a pub in the village so was not considered to be a rural settlement under Policy SS2. The site should be treated as open countryside and was therefore not considered to be an appropriate location for new development. The site was close to Combe St Nicolas however you would have to walk along a busy road to access the village facilities and the nearest pavement was 350 metres away. She concluded that the site was considered to be an unsustainable location for new build development and therefore recommended refusal of the application.

In response to members' questions, the Specialist – Planning confirmed the following:

- The distance to the public house was approximately 263 metres.
- The reason for refusal was on sustainability grounds only.
- Each application should be considered on its own merits.
- Wadeford lacked services and was not within walking distance to any services.
- There was no record of any pre-application advice given.
- Wadeford did not meet the minimum requirement of providing 2 key services as outlined in Policy SS2.

The Ward Member, Cllr. Martin Wale expressed his support for the proposal and noted that there had been no objections to the application. He did not consider the location to be a greenfield site but a site in a hamlet that was connected to Combe St Nicolas which had many facilities and services. The site was a garden in a row of houses which he considered to be ribbon development along a road with plenty of room on the site for two dwellings. He noted that the bus route went past the site and the bus stop was located further down the road by the pub. He considered the site to be sustainable and recommended that the application be approved.

During the discussion, members made the following comments:

- Properties were located close by
- The site was a garden and not a field
- The location was considered to be sustainable
- There was already a property on the site

- The space could adequately accommodate two dwellings
- The site was also close to Chard

It was proposed and seconded to approve the application. The Lead Specialist – Planning suggested to members the following reason for approval based on the issues raised during the debate:

Located within the parish of Combe St Nicholas and close to Chard, the proposed site is in a sustainable location on a bus route which represents an acceptable scheme in accordance with ST1 and SS2 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework.

Conditions suggested by the Specialist – Planning included:

- Time Limit
- Approved Plans
- Materials
- Access
- Parking
- Electric Charging Points
- Remove permitted development rights for garages
- Biodiversity & Enhancement Plan
- Tree protection & hedgerow protection measures

Members agreed with the suggested reason for approval and conditions and on being put to the vote the application was approved by 7 votes in favour, 1 against and 1 abstention.

RESOLVED: That Planning Application No. 19/02401/FUL be **APPROVED** contrary to the Specialist – Planning’s recommendation for the following reason:

Located within the parish of Combe St Nicholas and close to Chard, the proposed site is in a sustainable location on a bus route which represents an acceptable scheme in accordance with ST1 and SS2 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework.

1. 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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 18.58.01 received 30 August 2019

Drawing no. 18.58.10 received 30 August 2019

Drawing no. 18.58.11A received 20 September 2019

Drawing no. 18.58.13 received 30 August 2019

Drawing no. 18.58.14 received 30 August 2019

Drawing no. 18.58.15 received 30 August 2019

Drawing no. 18.58.16 received 30 August 2019

Drawing no. 18.58.17 received 30 August 2019

Drawing no. 18.58.18 received 30 August 2019

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

3. The materials to be used shall be as indicated on the approved plans, unless otherwise agreed in writing by the local planning authority.

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

4. Prior to the first occupation of the dwellings, hereby approved, works to the access as indicated on approved drawing no. 18.58.11A (in relation to width, consolidation, visibility splays, drainage) shall be fully implemented and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

5. The areas allocated for parking on the approved plans, shall be implemented prior to the first occupation of the dwellings hereby approved and shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the dwellings hereby approved.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

6. Prior to first occupation of the dwellings hereby permitted, one 16amp electric charging point, for electric vehicles, shall be provided either adjacent to one of the parking spaces provided for each dwelling or within the garage allocated for each dwelling. Once installed such electric charging points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the use of the garages hereby permitted, as part of this development, shall not be used other than for the parking of domestic vehicles and not for further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highway safety, in accordance with policy TA5 and TA6 of the South Somerset Local Plan 2006-2028.

8. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall

be submitted to, and be approved in writing, by the local planning authority before any development above Damp Proof Course level on either plot 1 or 2, such approved details shall be fully implemented prior to the first occupation of the dwellings hereby approved. The content of the BMEP shall include the following:

- 1 x integrated bee bricks (<https://www.nhbs.com/bee-brick> or similar) must be built into the external wall space of each new dwelling. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes. Solitary bees are harmless and do not sting.
- Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site.
- All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.
- Installation of 1 X Kent bat box, purchased or built, to be installed within the south or west facing external wall of each new dwelling at a height of over 3 metres.
- Installation of 1 X standard bird boxes, purchased or built, to be installed within the east or north facing external wall of each new dwelling. These are best fitted under the eaves and need to be at least three meters high and close to vegetation.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

9. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be prepared in-writing and submitted to the Council for their approval. Upon approval in writing by the Council, the scheme of tree and hedgerow protection measures (specifically any required ground-protection, fencing and signage) shall be installed and made ready for inspection. Prior to commencement of the development, the suitability of the tree and hedgerow protection measures shall be confirmed in-writing by a representative of the Council (to arrange, please contact us at planning@southsomerset.gov.uk or call 01935 462670). The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General

250. Planning Application 18/04057/OUT - Land East of Mount Hindrance Farm, Mount Hindrance Lane, Chard (Agenda Item 10)**

Application Proposal: Outline application for mixed development comprising residential development of up to 295 dwellings, provision of a floodlit full size football pitch, unlit full size training pitch and community sports pitch with associated multi use clubhouse, spectator facilities and vehicular parking area; hub for local neighbourhood facilities and other community uses, public open space, landscaping, drainage and other facilities; associated vehicular and pedestrian accesses, land regrading, associated infrastructure and engineering works.

The Agency Planner updated the report and advised that Condition 1 required an amendment to make reference to the outline status of the application. He also proposed amendments to Conditions 29 and 30 to include an implementation and retention clause. The S106 agreement also required an amendment to include the management of public open space. He advised that 21 letters of objection had been received since the last Committee meeting in relation to the proposal not confirming to the Chard Regeneration Strategy, no employment, no capacity at local school, harmful to the landscape, roads have no capacity for further cars, detrimental impact on wildlife, flooding and drainage issues, impact on Cuttifford's Door, loss of amenity land and loss of agricultural land. A further letter of representation had also been submitted regarding quality of due diligence checks on the applicant's submitted information, lack of clear demonstration of checks and approval process of reports, inaccurate representations of the objections from the public, incomplete analysis of construction impact on surroundings and errors in the traffic survey and access statement. The comments of the Lead Officer in response to the points raised were noted by members.

With the aid of a powerpoint presentation, the Agency Planner gave a detailed presentation outlining the following:

- The application site and surrounding area.
- The access was for detailed consideration.
- Key considerations were outline application – access for consideration, principle of development, highways, landscape, ecology, flooding, Chard Town Football Club.
- Indicative plans of the site and artist's impression of the scheme.
- Location of the football pitches, proposed stadium, community hub, open space, village green, planting/woodland area and residential development area.
- Summary of the Appeal Inspectors Decision on the previous application which was dismissed at appeal and its relevance.
- Various photographs were shown around the site including the junction leading into the site, views across the playspace, top of the access road looking across the site, existing access road and parking restrictions proposed.
- Plan showing existing access road and parking restrictions.
- Acceptable landscape setting. The proposed layout included a 30 metre buffer with a tree belt to reduce the landscape impact.
- Proposed emergency access points and bus stops.

- Ecology measures proposed.
- The site was at low risk of flooding and surface water could be controlled.
- Drainage was acceptable subject to conditions.
- Location of the proposed pedestrian island, signalling lights and zebra crossing to encourage walking from the site into town.
- The Council did not have a 5 year housing land supply therefore policy states that policies that restrain housing delivery are not up to date and therefore sustainable development should be granted permission unless adverse impacts outweigh the benefits.
- The Highway Authority considered the application to be acceptable subject to further work being undertaken on the Travel Plan.
- The development would create employment through the construction phases and community use.

The Agency Planner concluded that the application was recommended for approval subject to conditions and the prior completion of a Section 106 planning obligation.

In response to members' questions, the Agency Planner and Lead Specialist - Planning confirmed the following:

- Accessing the site for construction was set out in the Construction Management Plan which would prevent trucks going through the residential area.
- It was a criminal offence to break the 7 ½ tonne limit.
- The emergency access would be controlled by a keypad or combination lock that would prevent non-emergency use.
- A haul road was a temporary road in place whilst contraction was taking place.
- A condition would be in place to stop the developer changing the emergency access to normal traffic use.
- The application did not propose a crossing to the play area.
- Exact details of car parking spaces were not confirmed as this was an outline application and would form part of the reserved matters application.
- The applicant's submitted Transport Assessment stated that it was not anticipated that the Football Club would generate a material number of weekday peak hour trips and was therefore not seen as being a significant issue.
- The Inspector gave the Council time and respected the fact that the Council was soon to be approving a Local Plan and was setting out a vision for developing the CEDA area. It was recognised by the Inspector that failure to deliver a CEDA site would be picked up by the Council's monitoring and should that situation arise the Council should take appropriate remedial action.
- If the application were to go to appeal, it would be recognised that the CEDA plan had faltered.
- The layout compared to the appeal scheme was slightly different with more open space and greenery on the periphery.
- The last report undertaken to monitor the Council's position with regard to the 5 year housing land supply was completed in August which showed that the Council had a supply of 4.5 years. Commencements on site were included but not permissions granted so there was often a time lag.
- It was for members to judge in the knowledge of the Inspectors decision, whether they wished to argue the same issues raised in 2014.
- Legal advice was that any Environmental Impact Assessment based on cumulative impact could not be insisted upon.
- The applicant had conformed to the policy compliant figure for affordable housing.

- The Blackdown Hills AONB had not been consulted on the application.
- The applicant had agreed to make a financial contribution towards the improvements at the Victoria Avenue/Furnham Road junction.
- There were no changes proposed to the Convent Link junction.
- One of the fields on the site was allocated in the Local Plan.

A representative from Somerset County Council Highway Authority informed the Committee of the following:

- The junction layout, design and construction at Furnham Road/Victoria Avenue would be agreed with the Highway Authority to ensure that the timings on the signal heads would make the junction far more efficient in order to mitigate against any increase in traffic.
- During the design of the scheme, the two junctions would be linked so all the timings work together.
- The Convent Link junctions do have heavy traffic through them at times but the levels of trips through it were not considered severe and therefore it wasn't warranted to make any improvements.
- Cumulative effect studies could not be required as part of the Transport Assessments.
- The Transport Assessments presented by the applicant included growth factors and also made allowance for the adjacent site but did not include other applications for both employment and residential land that had taken place over the recent months.
- The Highway Authority assessed the figures presented by the applicant and looked at the impact on all the junctions. Questions were raised when the scheme was first looked at over traffic impact but since that time the appeal inspector had concluded that there was no problem. It was difficult to raise and sustain objections on Local Plan sites and sites that were considered sustainable.

The Committee was addressed by a representative from Combe St Nicholas Parish Council in objection to the application. Comments raised related to the following:

- The development was outside of the Chard boundary.
- It would have the effect of just under a 50% increase in the number of houses in Combe St Nicolas Parish.
- The proposal would join the small hamlet of Cuttifford's Door to Chard.
- All the infrastructure should be in place before any approval is given – the current infrastructure was unsuitable and most schools were full.
- Concerns over light pollution and sound from the football club having an adverse effect on the residents of Cuttifford's Door.
- Cuttifford's Door Road along the northern boundary of the site was in bad condition and would get worse.
- Concerns over road water run-off.
- The new footpath access onto Cuttifford's Door Road was potentially dangerous and would encourage parking along the lane near to the pitches with no provision for pedestrians.
- Concerns about the siting of bus stops along Crimchard by the site – placing them on or near the bend would be dangerous.
- If approved a condition needs to be in place to ensure no connecting link road be allowed between this site and the Barrett Homes site. Extra vehicles along Crimchard Road would be dangerous at the narrow point and cause more vehicles to

use the unclassified road through Wadeford and Combe St Nicholas. Construction traffic would also increase the dangers along these roads.

- The situation of dormice should not be disregarded.

The Committee was then addressed by eight people in objection to the application. Concerns raised related to the following:

- Concerns over a future connection between this site and the Barrett Homes site.
- Sport England had not supported a new football club in this location due to it being in a floodzone.
- More traffic in and through Combe St Nicholas and local roads do not have the capacity to absorb extra traffic.
- Lack of infrastructure.
- Most parts of the roads in Wadeford and Combe St Nicholas were single file with no footpaths for long stretches.
- Cuttford's Door into Wadeford and Combe St Nicholas is already used as a cut through and rat run and there is no traffic control. The development would mean an increase in traffic, pollution, congestion and noise and potential for increased accidents.
- Proposed development site provides an extensive sway of open fields and countryside spread across the northern edge of the town and provides an attractive and valuable landscape.
- Lack of health centre provision.
- Detrimental impact on dormice.
- Who will check that the vehicles are 7 ½ tonnes and stop the emergency access being abused?
- Residents would travel by car to access employment, schools and other facilities.
- Need for sufficient flow in traffic within and outside of Chard.
- New home for football club being used as a red herring.
- Not in accordance with the Local Plan and outside of development limits.
- Scheme would be a significant traffic generator.
- There would be a significant and detrimental impact on the various species of wildlife on the site.
- Not part of Chard Regeneration Framework.
- Scheme would benefit no one but the Football Club and the developers.
- Poor local junctions and visibility with many narrow roads.
- Development would vastly extend the built up area to the historic boundary on the edge of Cuttford's Door which would lose its' identify and become a suburb of Chard.
- The hamlet already suffered from light and noise pollution from the Business Park, Cricket, Rugby and Football Clubs and loud music from these social clubs often continued into the evening.
- If the development is permitted noise and light would be brought into the countryside and the rural ambiance of the hamlet would be destroyed.

The Committee was addressed by three people in support of the application. Comments raised related to the following:

- This development would have little effect on the settlement of Combe St Nicholas and would not increase its size by 50% as suggested.
- Development an extension of Chard and not Combe St Nicholas.
- The relocation of the football club was a top priority within the Chard Regeneration Plan.

- Will provide additional sports pitches for the town which has the highest shortfall in Somerset.
- The Local Plan has failed to deliver the additional houses.
- The revised application has addressed the concerns originally raised.
- Lack of playing pitches in Chard.
- Current facilities fall short of FA requirements.
- County League position in jeopardy.
- The Club has searched for many years for a new ground.
- Legal agreement would bind the football club to the land.
- A haul road was included in the application at the existence of the football club as a temporary measure to protect the clubs' interests and to develop the site quickly and in the very unlikely event that the house builders are unable to provide an access road and utilities to the site within 12 months. The haul road is unlikely to be needed and would only be a temporary surface and only used for the purpose of developing the new ground.
- The new clubhouse would be similar to the current clubhouse and would provide ample provision for private parking.
- Imperative for the Chard Football Club to be rehoused otherwise it would go out of existence.

The Applicant's Agent addressed the Committee. Points raised related to the following:

- SSDC was not able to demonstrate a 5 year housing land supply.
- The Strategy for Chard had not proceeded as envisaged.
- The appeal dismissed in June 2015.
- This proposal had been amended since the appeal decision to include a reduction in the number of houses and an increase in sports pitches.
- There were no site specific objections.
- The Highway Authority have confirmed that the access was acceptable and the proposals would not result in a severe traffic impact in Chard taking into account the cumulative impact of all permitted and proposed developments.
- Traffic analysis submitted with the application made an allowance for traffic growth to be generated by all development allocated in the Local Plan including the Barrett Homes site.
- Scheme provided a range of benefits including a policy compliant level of affordable housing, significant boost in housing which would count towards the Council's 5 year housing land supply, site available, developable and would be brought forward by the applicants in a timely manner, relocation of Chard Town Football Club and additional sports pitches for Chard.
- The Environmental Impact Assessment submitted with the application looked at cumulative impact.

The Chairman read a short statement submitted on behalf of the Ward Member Councillor Jenny Kenton. Although she fully appreciated the needs of Chard Town Football club and that the development would deliver their much needed new pitch she also supported the views expressed by the residents of Cuttiford's Door, Wadeford and Combe St Nicholas. Reference was made to the extra strain on the Convent Link junction and this out of phase housing impacting the development of a new link road. It would also impact the direction of preferred growth by flooding the market and causing a lack of requirement for houses in Chard that would build the link road. She referred to there being evidence of dormice and other protected species in the area and the ecology

report identifying the hedgerows as species rich. The development did not deliver any employment land and encroached heavily on the settlement of Cuttiford's Door.

The other Ward Member, Councillor Martin Wale referred to the following:

- The importance of delivering the Local Plan.
- Disappointed that there was little reference in the report to the needs of Combe St Nicholas and Cuttiford's Door.
- The development would have an impact on the local roads.
- The importance of the Blackdown Hills AONB.
- Two thirds of site was not included as housing allocation in the Local Plan or the Chard Regeneration Plan.
- Was of the opinion that the land was left as a buffer zone between Cuttiford's Door and Combe St Nicolas and the AONB and should remain.
- Land was good quality agricultural land which should be maintained.
- Notwithstanding the failed Local Plan and the Council's lack of a 5 year housing land supply to approve the application would be go against Policy and the advice of the Council's Ecologist.
- The application should be rejected on the following grounds: area of particular importance, adverse impact of development significantly outweighs the benefits when measured against Planning Policies.

During the discussion, varying views were expressed by Members. Comments raised related to the following:

- The indicative layout was a big improvement on the previous scheme.
- Concerns over traffic impact in Chard town centre which was already a severe problem. The Convent Link was already operating at over capacity.
- Chard needed to move forward and growth of the town needed to be on the eastern development area as well.
- The scheme did not provide any link between the A358 and A30 which would alleviate some of the problems in the town centre.
- Harm to landscape, ecology and wildlife.
- Loss of agricultural land and greenfields.
- AONB not consulted.
- Development not appropriate for this site.
- Highway infrastructure not adequate.
- Good looking scheme.
- Chard Town Football Club provide a massive facility for the town and should be supported.
- Lack of playing pitches in Chard.
- Accept problems in Cuttiford's Door but don't agree development would have a large impact on Combe St Nicholas.
- Need for some form of sensitive road testing to be applied in Chard generally which would support future developments.
- Access to the site was acceptable in terms of safety.

It was proposed and seconded to recommend refusal of the application. The Lead Specialist – Planning suggested to members the following reason for refusal based on the grounds put forward by the Ward Member:

- The site is within an area of landscape importance between Chard and Cuttiford's Door, on the periphery of the AONB. The resultant demonstrable harm is not

outweighed by the benefits and therefore the scheme is contrary to policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028) and the NPPF.

- The proposal prejudices the delivery of the Chard Regeneration Plan forming part of the Council's Local Plan and on which work has started; therefore, the proposal is contrary to policies PMT1, PMT2, SS3 and SS5 of the South Somerset Local Plan (2006-2028).

On being put to the vote there were 5 votes in favour and 5 votes against. The Chairman used his casting vote in favour recommending refusal of the application.

RESOLVED: That Planning Application No. 18/04057/OUT** be **REFERRED** to the Regulation Committee with a recommendation from Area West Committee that the application be refused for the following reasons:

1. The site is within an area of landscape importance between Chard and Cuttiford's Door, on the periphery of the AONB. The resultant demonstrable harm is not outweighed by the benefits and therefore the scheme is contrary to policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028) and the NPPF.

2. The proposal prejudices the delivery of the Chard Regeneration Plan forming part of the Council's Local Plan and on which work has started; therefore, the proposal is contrary to policies PMT1, PMT2, SS3 and SS5 of the South Somerset Local Plan (2006-2028).

(Voting: 6 in favour, 5 against)

251. Planning Application 19/00074/FUL - Land at East of Crimchard, Chard (Agenda Item 11)**

Application Proposal: The erection of 142 dwellings together with associated infrastructure including access/highway improvements, drainage and attenuation, play area, open space and landscaping.

The Agency Planner updated that Barratt Homes had offered to increase their Section 106 payment by £20,000 towards the feasibility work required for the Chard link. A further 19 letters of objection had been received since the last Committee meeting reconfirming that the proposal does not conform with the Chard Regeneration Strategy, no capacity at the school, harmful to landscape, no further capacity for cars, detrimental impact on wildlife, flooding and drainage issues and loss of agricultural land. The same letter which had been submitted on the previous application had also been submitted on this application.

The Agency Planner gave a detailed presentation on the application which covered the following:

- The key considerations associated with the application were principle of development, highways, ecology, flooding, visual impact, layout, scale and design and residential amenity.
- Summary of Appeal Inspector's decision and its' relevance.
- Site layout and surrounding area.
- Access details to the site.

- Proposed highway improvements and footpath links.
- Location of the play area and open space.
- Location of the surface water attenuation area and ecological habitat enhancements.
- New planting along the southern and northern boundaries and instant hedging along the western boundary.
- The proposed development would make provision for 50 affordable dwellings.
- The Council did not have a 5 year housing land supply therefore policy states that policies that restrain housing delivery are not up to date and therefore sustainable development should be granted permission unless adverse impacts outweigh the benefits.
- No objections raised from Highways.
- The Council's Ecologist did not object to the proposal and had recommended mitigation conditions.
- An Environmental Impact Assessment could not be insisted upon.
- Flooding and drainage measures were both satisfactory.
- No objection in terms of Landscape setting.
- Layout offers an arrangement that allows future residents and existing neighbouring residents to enjoy a good level of residential amenity in terms of overlooking and general loss of privacy.

The Agency Planner concluded that given the lack of demonstrable harm and the benefits that the scheme would provide in the provision of housing including affordable dwellings, economic benefits during construction and new occupants in the town the application was recommended for approval subject to conditions and the completion of a Section 106 agreement.

In response to members' questions, the Agency Planner confirmed the following:

- The position of the turning head;
- The new application for 142 dwellings required new supporting information. Any reference to 110 dwellings was an error in the report.
- There was little difference between 110 and 142 in terms of landscape impact.
- The Landscape Assessment identified that the site had a high capacity for development.
- The 110 dwellings may have included many more larger dwellings and often intensification of the site was because the units had become smaller. It was for members to judge whether the proposals were a cramped form of development judged against existing patterns of development to the south.
- The previous scheme protruded north whereas this scheme was much more in line with the edge of the settlement.
- As the CRESTA Centre was no longer in operation, the community, health, leisure and open space contribution would go towards a different equivalent facility.
- This site was not the preferred option for growth. The Local Plan directed growth to the east.
- The Transport Assessment was assessed by the Highway Authority. They were satisfied that the right turn lane was not required.
- The provision of car charge points was included as a standard condition.
- Class 1 and Class 2 land was protected. There was no significant weight given to Class 3 land.

The Committee was addressed by 4 people in objection to the application. Concerns raised related to the following:

- Increase in traffic
- Insufficient traffic survey
- Lack of on street parking
- Lack of pathway into town
- Lack of school places
- Unsuitable site
- This application and the previous application would become joined
- Impact on wildlife
- Lack of infrastructure
- Increase in density to the previous application
- The two-storey houses would overlook the bungalows
- Development would not be sustainable
- Poor visibility at the junction
- Need for eco housing
- Crimchard was a busy road and development would increase dangers

The Committee was then addressed by the Applicant and the Agent. Points raised related to the following:

- The size and scale of units had decreased compared to the previous scheme.
- The previous scheme had no 1 bed dwellings and very little 2 bed dwellings. This scheme was for 1, 2, 3, 4 and 5 bedroom properties.
- The size of the dwellings had been reduced in response to the local market.
- The scheme provided an extra 10 affordable units.
- Links to the north would require planning permission and were not included in this application.
- A condition had been offered for the scheme to commence in 12 months.
- In the Local Plan review, the site was encouraged to be brought forward for development.
- The site was included in the Chard Regeneration Scheme in reserve and was not required at the time.
- There was a shortfall of 700 homes in Chard.
- The scheme did not prejudice the Eastern Development Area which could come forward in its own right.
- The scheme would deliver 50 affordable units.
- Proportionality Chard had the highest affordable housing need in the district.
- The scheme would make a contribution towards education and a swimming pool.

The Ward Member, Councillor Martin Carnell stated that he was unable to support the Officer's recommendation for the following reasons:

- The site was not in accordance with the Local Plan
- Development contrary to the Chard Regeneration Plan
- Transport Assessment misrepresentation of reality on the ground
- Junction of Cuttford's Door Road and Hornsbury Mill would not be wide enough to facilitate an HGV vehicle as stated in the Transport Assessment
- On street parking in Helliars Road was almost permanent and not occasional as stated in the Transport Assessment.
- Convent Link Junction assessment already deemed as high risk and nothing being done to mitigate against the increase in traffic.

- Traffic Assessment not sufficient enough to make a decision on the application.

During the discussion on the application, members expressed varying views on the application which related to the following:

- Loss of agricultural land
- Ecological and landscape affect
- Traffic assessment not fit for purpose
- Chard had the highest need for affordable and social housing
- The scheme would provide another 50 affordable homes which was needed in Chard
- People born and brought up in Chard should be able to remain in Chard and contribute to the life of the town.

In response to a member question, the Highway Authority representative advised that the works to provide the access would be covered by a legal agreement. The agreement would cover making sure that the road approaching the access was wide enough and appropriate visibility displays in place to allow for two way traffic.

At the conclusion of the debate, it was proposed and seconded to recommend refusal of the application. The Lead Specialist – Planning suggested to members the following reason for refusal based on the issues raised during the debate:

- The application contains a transport assessment that has failed to take into account local conditions and circumstances and proposes an access onto a busy, single carriageway width road with poor alignment. The proposal therefore fails to provide a safe and convenient access and is therefore contrary to policy TA5 of the South Somerset Local Plan (2006-2028).
- The proposal prejudices the delivery of the Chard Regeneration Plan forming part of the Council's Local Plan and on which work has started; therefore, the proposal is contrary to policies PMT1, PMT2, SS3 and SS5 of the South Somerset Local Plan (2006-2028).

Members agreed with the suggested reason for refusal and on being put to the vote the application was recommended for refusal by 6 votes in favour and 3 votes against.

RESOLVED: That Planning Application No. 19/00074/FUL** be **REFERRED** to the Regulation Committee with a recommendation from Area West Committee that the application be refused for the following reasons:

1. The application contains a transport assessment that has failed to take into account local conditions and circumstances and proposes an access onto a busy, single carriageway width road with poor alignment. The proposal therefore fails to provide a safe and convenient access and is therefore contrary to policy TA5 of the South Somerset Local Plan (2006-2028).

2. The proposal prejudices the delivery of the Chard Regeneration Plan forming part of the Council's Local Plan and on which work has started; therefore, the proposal is contrary to policies PMT1, PMT2, SS3 and SS5 of the South Somerset Local Plan (2006-2028).

(Voting: 6 in favour, 3 against)

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Chairman