

## South Somerset District Council

**Minutes** of a meeting of the **Area North Committee** held at the **Village Hall, New Road, Norton Sub Hamdon on Wednesday 26 November 2014.**

(2.00pm - 5.45pm)

**Present:**

**Members:** Councillor Shane Pledger (Chairman)

Pauline Clarke	Jo Roundell Greene
Graham Middleton (from 3.45pm)	Sylvia Seal (from 2.10pm)
Roy Mills (to 5.40pm)	Sue Steele
Terry Mounter	Paul Thompson
David Norris	Derek Yeomans
Patrick Palmer	

**Officers:**

Charlotte Jones	Area Development Manager (North)
Chris Cooper	Streetscene Manager
Kerri Bruce	MTIG Marketing Intern
Nicola Bailey	Somerset Business Village Agent (Somerset Community Council)
Adrian Noon	Area Lead (North/East)
Nick Head	Planning Officer
Nick Hill	Locum Planning Solicitor
Becky Sanders	Democratic Services Officer

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

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### **108. Minutes (Agenda Item 1)**

The minutes of the meeting held on 22 October 2014, copies of which had been circulated were taken as read and, having been approved as a correct record, were signed by the Chairman.

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### **109. Apologies for absence (Agenda Item 2)**

There were no apologies for absence.

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### **110. Declarations of Interest (Agenda Item 3)**

There were no declarations of interest.

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#### **111. Date of next meeting (Agenda Item 4)**

Members noted that the next meeting of Area North Committee was scheduled for Wednesday 17 December 2014 at the Ladysmith Memorial Institute in Somerton. The Chairman advised members that the start date was anticipated to be 1.00pm but may be subject to change.

There was a short discussion during which it was agreed that if there were no planning applications to be considered in December the meeting would be cancelled.

*(Please note, the meeting venue and time for December has since had to be changed).*

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#### **112. Public question time (Agenda Item 5)**

There were no questions from members of the public present.

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#### **113. Chairman's announcements (Agenda Item 6)**

The Chairman reminded members of the memo circulated with the agenda which detailed arrangements for the December meeting and informed members about a presentation from the Environment Agency at the District Executive meeting in December.

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#### **114. Reports from members (Agenda Item 7)**

Councillor Sue Steele informed members that she had recently attended a meeting of Musgrove Park Hospital and noted a new Chief Executive had been appointed.

Councillor Patrick Palmer noted he had attended three meetings about flooding:

- The Royal Bath and West Society – funding for the Somerset Levels Development Fund was on schedule.
- The Levels and Moors 20 Year Flood Action Plan update meeting held on 24 November at Huish Episcopi Academy.
- Parrett internal Drainage Board – noting that everything was on schedule so far.

He also noted he was leading a campaign in Long Load to get a ring bank. A meeting would take place in January to agree on a scheme and ascertain the associated costs, and then funding would need to be sourced.

At this point, the Area Development Manager (North) took the opportunity to remind members of the libraries consultation currently in progress.

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#### **115. Performance of the Streetscene Service (Agenda Item 8)**

The Streetscene Manager summarised the report as shown in the agenda. He highlighted to members key points including:

- A main focus over the previous six months had been weedkilling – the process was now more mechanised using two quad bikes. The service aimed to carry out the spray programme twice a year.

- A big issue at the current time was leaf clearance which was being achieved by various methods including using a 'Community Payback' team for some of the work. It was hoped to further develop the working with Community Payback.
- The service was looking to tailor approaches regarding the dealing of graffiti.
- Already preparing for flooding with 500 – 700 sandbags filled
- Looking to get grit/salt spreaders to fit on the quad bikes.
- For unknown reasons flytipping had increased and they would continue to work with Enforcement Officers to ascertain if there were any trends.
- Parish Ranger Scheme now had three staff and most clients seemed pleased with the scheme.
- Ditch maintenance in Area North would be completed in Area North very shortly.
- Bulb planting continues – with a different mix of bulbs being given away this year.

Responses by the Streetscene Manager to comments raised during discussion included:

- Many sandbags had been filled using sand from last year's bags. The bags needed to be refilled as the bags rot.
- Taking flytips through to the prosecution stage was difficult.
- He noted that Somerton Town Council would like some of the wildflowers to help with the Friends of the Earth 'Bee Initiative'.
- He acknowledged the issue with flyposting regarding a business selling Xmas trees and he would look into the matter.
- Flytipping of garden waste was an issue
- A suggestion that a presentation to members about Community Payback may be of interest

Members praised the work of the team and thanked the Streetscene Manager for his informative report.

**RESOLVED:** That the report be noted.

## **116. South Somerset Market Towns App - Demonstration (Agenda Item 9)**

The Area Development Manager (North) introduced the Market Towns Investment Group (MTIG) Marketing Intern. She briefly reminded members of the work of interns and explained that the MTIG Marketing Intern had not been involved at the very start of the project.

The MTIG Marketing Intern provided an informative presentation including a demonstration of the new Market Towns app. She explained that volunteers and businesses provided the content information and each had the ability to update their own information. The presentation included information about:

- Features of the app – special offers, galleries, integrated maps, shops and events etc.
- Development of the app and promotion
- Statistics about use
- Continuing to enhance the content

One member commented that she was amazed how the app had progressed in a short time since the presentation had been made to Scrutiny. The Area Development Manager (North) noted the app had needed some careful development and thanked the officer for her work with the app and with the market towns.

The Chairman thanked the MTIG Marketing Intern for her informative and confident presentation.

**RESOLVED:** That the presentation be noted.

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### **117. Somerset Levels and Moors Flood Action Plan - Local Business Recovery Support (Agenda Item 10)**

The Area Development Manager (North) introduced Nicola Bailey, Somerset Business Village Agent. Ms Bailey gave an overview of her role and provided a presentation which included information about her aim to improve Business Resilience through:

- One to one business visits
- Business drop in sessions in the community
- Group events
- Working with partners
- Tackling emerging shared issues

She explained that she was helping businesses across the whole of Somerset and across all sectors including retail, hospitality, tourism, care, construction, manufacturing and business services. Using case studies she gave examples of both direct and indirect consequences of flooding. Emerging issues and projects were highlighted including:

- fears of escalating insurance costs
- businesses have lost trade
- road closures and disruption have changes people's habits
- businesses are needing to rebuild their customer bases
- sharing and learning from knowledge and experience with other flood affected areas of the UK

During a brief discussion Ms Bailey responded to members comments regarding tourism figures and property sales.

The Portfolio Holder for Environment and Economic Development, Councillor Jo Roundell Greene thanked Ms Bailey for all the work done.

**RESOLVED:** That the presentation be noted.

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### **118. Area North Committee Forward Plan (Agenda Item 11)**

The Area Development Manager (North) updated members that as suggested during discussion of the Streetscene report the Community Payback team would be invited to attend a future meeting to provide a presentation.

**RESOLVED:** That the Area North Forward Plan be noted including the addition of the following item:

- Presentation about Community Payback
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### **119. Planning Appeals (Agenda Item 12)**

Members noted the report that detailed recent planning appeals that have been lodged, dismissed or allowed.

**RESOLVED:** That the report be noted.

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**120. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)**

Members noted the schedule of planning applications to be determined at the meeting.

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**121. Planning Application 14/03154/FUL - Land North of Stanchester Way, Curry Rivel (Agenda Item 14)**

***Application proposal: Residential development of 30 dwellings.***

Prior to presenting the report the Planning Officer advised that there was a typo in the agenda report under the recommendation which referred to the application being 01/03154/OUT. He clarified this was not an outline, but a full application, and the reference should have read 14/03154/FUL.

He also noted there was mention in the report of the site being around 1.5ha, and clarified that the actual area within the red line was 1.33ha. He explained that there was no blue line and that the land owner had been notified. He updated members that four further letters of representation had been received since the agenda had been published endorsing original concerns and objections. Concern about ecology had been raised by one local resident regarding the impact of lighting for bats and concern about the presence of slowworms and the response of the Ecologist.

It was acknowledged that concerns about drainage had been raised in almost all letters of representation. All statutory consultees had been consulted on the matter but none had raised any objections.

The Planning Officer then went on to present the application as detailed in the agenda and explained that the proposal was to connect the development to Maple Road. The presentation included photographs submitted by the ward member and by neighbours. Other points highlighted included:

- the Landscape Officer had not raised any objection regarding the impact on character and appearance of the area, and the detail of design was of an acceptable standard
- drainage had been assessed by the Environment Agency and other statutory consultees but no objections had been raised.
- the Highway Authority raised no objection
- It was considered ecology issues and slowworms were covered by condition 3. With regard to bats, the Planning Officer noted that if members were minded to approve the application, the Ecologist was happy that a condition be included for lighting. It was acknowledged there would be an impact on the ecology as a result of the development but not to such a scale as to be a reason for refusal.
- Wessex Water had not raised an objection
- The County Council were satisfied there was adequate capacity at nearby schools
- No amenity concerns are raised that would warrant a refusal of the application
- Concerns regarding ongoing maintenance of the proposed attenuation pond could be conditioned

- Proposal was of an appropriate density and represented an acceptable extension to the village which would in the long run increase its general sustainability.

The officer recommendation was for approval of the application.

Mrs M King-Oakley, spoke on behalf Curry Rivel Parish Council in objection to the application and made reference to surface water run-off from the site and drainage. She noted flooding of properties and roads had occurred in the last few years and that the current drainage pipes could not cope. She noted the Parish Council maintained their objection to development on this site.

Ms T Drake, Mr J Youé, Mr K Wills, Ms A Higson, Mr G Higson, Mr D Drake, Mrs R Hale and Mr R Deans spoke in objection to the application and their points raised included:

- Strongly oppose application, feel it's against policy
- Degree of flood risk has been severely under estimated
- No pressing need for this site to be developed
- Don't feel attenuation pond and existing ditches could cope with run off from the site
- Difficult to understand how flood attenuation measures are calculated given flooding events in the locality in recent years
- The archaeological report referred to should be made public
- Due to the natural gradient of the land, gardens of nearby properties were already saturated and it was only a matter of time before it became more of an issue.
- Pavements along roads to the site were narrow and a safety issue.
- Reference to environment regulations and renewable energy.
- If the proposal was needed why had there only been one letter of support but around 157 against the development
- Access to the site via Maple Road was already difficult due to parked cars and being near a bend.
- Reference to agricultural land and statistics for food production
- Feel some parallels with the Goldwell Hill near Crewkerne application which has been dismissed at appeal.
- Size and location of attenuation pond raises issues regarding safety as near play area and properties.
- Need reassurance attenuation pond would be maintained regularly and correctly
- Inappropriate scale and density
- Reference to recent press article by CPRE about building on brownfield land.
- Question why build 30 houses on viable agricultural land outside the development area.
- Feel reference to reliance on use of buses in the transport statement is economical with the truth
- Area of development has crept up slowly
- Concerns about sustainability
- Feel statutory and technical consultees may not have visited the site or know the village.
- Concern about increase in traffic and reliance on cars to travel
- Cannot control what will fall from the sky and predictions are that rainfall won't get any better.

The Area Lead responded to comments and questions raised during public participation, including briefly explaining about flood zones and flood mitigation measures, and how it was calculated in order that there would be no additional run off from the site. He noted

that the Environment Agency, Wessex Water, SSDC Engineers and SCC Highways had looked at the drainage aspect in detail, and none had raised any objection to the proposal on drainage grounds. He also referred to other comments made about sustainability issues, house building and brownfield land. He noted that SSDC had a 5-year land supply at this point in time but it was not possible to use it as a reason to refuse unpopular schemes.

Ward member, Councillor Terry Mounter, noted the decision made needed to be robust enough to defend at appeal and referred to the Goldwell Hill decision. He noted the application site was a decent bit of agricultural land which the NPPF encouraged to be retained. He referred to an email from the SSDC Development Manager which stated Curry Rivel was not suitable for anything but small scale development. The ward member felt the figures in the developer's Flood Risk Assessment were skewed and inaccurate. It was noted three or four flooding incidents had occurred in the last ten years and SCC had allocated money in their 2015 budget for flood relief works. He considered the proposal would impact on drainage and the comments of the numerous objectors could not simply be ignored. He proposed refusal of the application.

The Area Lead noted that the Goldwell Hill decision was acknowledged in passing. The parallels between the two sites were not relevant and fundamentally different.

During a long discussion comments raised by members included:

- Many concerns raised about drainage
- Not against principle of development but major concerns about drainage if properties are already affected by the site
- In recent weeks the nearby River Parrett had reached high levels and this proposal would exacerbate the issue
- Government says listen to localism and many objectors had travelled some way to be at the meeting
- Concern about parked cars along the road through the proposed development
- Don't feel volume of attenuation pond has been adequately calculated
- Flooding aspect is not satisfactory. The current 150mm drainage piping for the area could not cope.
- People won't be working in Curry Rivel but will need to travel elsewhere
- Believe should be judging against policy SS2 in emerging Local Plan – which is not one of the Inspector's concerns
- Need more evidence to support what's being said by objectors
- Looking at the end of Dyers Road, development of the site had probably been in the pipeline several decades ago.
- Attenuation ponds if built to the right capacity do work, need to be assured what is proposed is of adequate size
- No need been demonstrated for the housing in Curry Rivel
- Flooding aspect needed an in depth study

It was first proposed and seconded to refuse the application on grounds of flooding, land drainage, policy reasons and various elements of the NPPF.

The Area Lead responded to comments made and noted he considered there was enough information in front of members to make a decision. He advised members that in fairness to the applicant, there needed to be clear reasons for refusal and member should clarify their policy reasons. Based on comments made during discussion and further suggestions from the proposer, he suggested wording for the justification for refusal could be:

- It has not been satisfactorily demonstrated flood risk can be mitigated and that there would be no increased risk of flooding elsewhere. As such the proposal is contrary to policies EU4, ST5, ST6 and the NPPF.
- No justification based on economic, environmental or community benefits has been provided for 30 dwellings outside the development area, for which there is no local support or evidence of local need. As such the proposal is contrary to saved policy ST3 and emerging policy SS2 and the policies contained within the NPPF.

The Area Lead and Chairman expressed concerns about the reasons for refusal and whether they could be sustained on appeal. There was a short discussion but not an agreement about referring the application to Regulation Committee. The Area Lead explained to the public about Regulation Committee.

When put to the vote, the proposal to refuse the application was tied 6 in favour of refusal and 6 against. The Chairman used his casting vote against the proposal and so the motion fell.

An alternative proposal was to defer the application to seek more information and clarification regarding drainage issues including:

- flooding not only at the application site but in the locality
- more information about capacity of the attenuation pond
- to take into account rainfall predictions
- para 2.6 in applicants Flood Risk Assessment

A member proposed taking a named vote but it was not seconded. The proposal to defer, having been seconded, was put to the vote and carried 11 in favour of deferral and 1 against.

**RESOLVED:** That planning application 14/03154/FUL be DEFERRED to seek further clarification on drainage proposals:

- Capacity of attenuation ponds
- Capacity of watercourses to accommodate flows from pond
- Flood history in locality
- Any evidence of localised problems

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

## **122. Planning Application 14/03950/FUL - Primrose Cottage, Hayes Road, Compton Dundon (Agenda Item 15)**

***Application proposal: Erection of a single storey side extension, erection of a detached double garage/workshop and relocation of existing storage building.***

The Planning Officer presented the application as detailed in the agenda report. He reminded members that the only reason the application was before committee was due to the applicant being a member of staff. The officer recommendation was for approval.

Ward member Councillor David Norris, noted no objections had been raised by statutory consultees and there was no impact upon residential amenity. He proposed approval of the application as per the officer recommendation.



During a very brief discussion, the Planning Officer responded to a query regarding the intended use of the extension. There being no further discussion the proposal to approve was seconded, and being put to the vote was carried unanimously.

**RESOLVED:** That planning application 14/03950/FUL be APPROVED as per the officer recommendation

**Justification**

The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006) and the provisions 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: [Drawings received 26 August 2014 and 22 September 2014].

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

- 03. The accommodation hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the adjacent dwelling known as Primrose Cottage. There shall be no subdivision of this single residential planning unit.

Reason: In the interests of residential amenity, highway safety and as the application has been assessed on this basis only in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

*(Voting: Unanimous in favour)*

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Chairman