

## South Somerset District Council

**Minutes** of a meeting of the **Area East Committee** held at the **Council Offices Churchfield Wincanton on Wednesday 8 June 2016.**

(9.00 am - 12.15 pm)

**Present:**

**Members:** Councillor Nick Weeks (Chairman)

Mike Beech	Mike Lewis
Tony Capozzoli	David Norris
Nick Colbert	William Wallace
Henry Hobhouse	Colin Winder (until 10.50am)
Tim Inglefield	

**Officers:**

Kelly Wheeler	Democratic Services Officer
Helen Rutter	Assistant Director (Communities)
Adrian Noon	Area Lead (North/East)
Angela Watson	Legal Services Manager
Tim Cook	Area Development Lead (East)
Terena Isaacs	Community Support Assistant
Alex Skidmore	Planning Officer
Pam Williams	Neighbourhood Development Officer (East)

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

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#### **4. Minutes of Previous Meetings (Agenda Item 1)**

The minutes of the meetings held on Wednesday 11<sup>th</sup> May 2016 and Thursday 19<sup>th</sup> May 2016, copies of which had been circulated, were agreed and signed by the Chairman.

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

Apologies of absence were received from Councillors Anna Groskop and Sarah-Dyke Bracher.

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

There were no declarations of interest however; Councillor David Norris advised that he was a member of the Regulation Committee.

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#### **7. Public Participation at Committees (Agenda Item 4)**

There were no questions from members of the public present.

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## **8. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 5)**

There were no reports from members representing the Council on outside organisations.

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## **9. Date of Next Meeting (Agenda Item 6)**

Members noted that the date of the next meeting would be Wednesday 13<sup>th</sup> July 2016 at The Council Offices, Churchfield, Wincanton at 9am.

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## **10. Chairman Announcements (Agenda Item 7)**

The Chairman suggested that members read the Appeal Decision for the Gainborough site in Milborne Port where the appeal had recently been dismissed by The Planning Inspectorate.

He advised members that he would be attending the next Regeneration Board meeting and would be discussing plans for the Wincanton Sports Ground.

He informed members that he had discussed the members request to view planning appeal statements at the Area Chairman's meeting and further advised that they would be available for members to view on request to the Planning Department.

The Assistant Director (Communities) confirmed that she would clarify the notification process of planning appeals with the Development Control Manager, to ensure that members were aware of new appeals which were received.

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## **11. Somerset Highways Update Report (Agenda Item 8)**

The Assistant Highways Service Manager, Somerset County Council, addressed the Committee and presented the report as detailed in full in the agenda.

He informed Members of several updates to the report;

- Grass cutting on A and B roads had been completed early and cutting of grass on C roads and unclassified roads will begin early.
- The drainage works to Coopers Ash Lane have been completed.
- Soil samples will be taken from Bridghampton to check contamination levels.

In response to questions, the Assistant Highways Service Manager, advised members of the process for reporting pot-holes as detailed in the agenda report.

Lilion Elson, a resident of Holton, addressed the Committee to raise some concerns which she had experienced with the highways around Holton. Comments included;

- Potholes west of the layby.
- Trees have been damaged by contractors and she would like to see them replaced.

- She requested that service vehicles refrain from parking on the verges.

During a short discussion, the Assistant Highways Service Manager responded to questions from Members. A member questioned the recent white-lining of the A371 which was due to be re-surfaced and road closures were discussed.

The Assistant Highways Service Manager agreed to look into the problem of potholes on the A37 between Yeovil and Ilchester.

The Chairman thanked the officer for attending.

**RESOLVED:** that members noted the report.

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## **12. Area East Development Budget Outturn Report (Executive Decision) (Agenda Item 9)**

The Assistant Director (Communities) presented her report to members as detailed in the agenda. She gave an overview of spending from the Area East budgets for the year 2015/2016 and Community Grants which had been awarded.

She advised members that a further more detailed report would follow later in the year to provide updates on the progress and to highlight benefits of Community Grants which have been awarded.

She recommended that a sum of £25k be transferred from the Capital Reserve to the Community Capital Grants Budget for awards during 2016/17 and that the Committee re-confirmed the allocations awarded to Galhampton Village Hall and to Hadspen Village Hall as detailed in her report.

She responded to questions from members. Following the discussion, she pointed out that the Community Grant Budget was available for funding applications, providing that the criteria were met, and encouraged good projects to come forward. She further advised that where the criteria could not be met for community projects, that the Neighbourhood Development Officers would be able to assist in finding funding.

It was proposed and seconded, that the Committee agree with the recommendations as detailed in the report.

On being put to the vote, this was carried 8 in favour, with 1 abstention.

**RESOLVED:** that the committee

(1) noted the spending and balances for the Area East Capital Programme and Reserve for 2016.

(2) Agreed to transfer a sum of £25k from the Capital Reserve to the Community Capital Grants Budget for awards during 2016/17.

(3) Reconfirmed allocations of £12,500 to Galhampton Village Hall and £3,000 to Hadspen Village Hall.

(4) Return the £1,500 awarded to Barton St David towards the installation of speed cameras is returned to balances.

(5) Noted the budgets available for 2016/17 to address priorities for the coming year.

**REASON:** to replenish the Community Capital Grant allocation for 2016/17.

(Voting: 8 in favour, with 1 abstention)

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### **13. Retail Support Initiative Grant Application - Wincanton and Wincanton 'Top Up' (Agenda Item 10)**

The Community Support Assistant presented her report to the Committee. She summarised the self-sustaining scheme for the property which used to be a bootmakers and explained that the new owners were looking to retain the old name of Bootmakers.

Councillor Nick Colbert supported the scheme and was pleased that the building would be brought back into use. He questioned the additional funding for the purchase of equipment, however was satisfied that it met the current criteria.

Councillor Colin Winder also offered his support to the scheme.

It was proposed and seconded that the application be approved as detailed in the officer report.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that up to £1689.31, as a 50% contribution, is awarded to Bootmakers, 5 Market Place, Wincanton,

- £1,453 from the Community Development budget revenue element ring-fenced for the RSI
- £236.31 from the Community Development budget, Wincanton top-up, revenue element ring-fenced for the RSI

Subject to the following standard conditions;

- (a) The grant award may be used by SSDC for promotional/publicity purposes
- (b) Grants are paid for approved works/purchases on production of receipted invoices
- (c) Awards are subject to an interim report (within 9 months) and final report being submitted
- (d) Applicants will normally be expected to draw down the grant within 6 months of the offer
- (e) That appropriate consents are obtained
- (f) Works requiring listed building/planning consents or building regulations will be required to be signed off by the appropriate officer prior to the release of funds
- (g) If, within 3 years of a grant award, the business ceases to trade, the District Council reserves the right to reclaim the grant on the following basis: year one – 100%; year 2 – 75%, year 3 – 45%

**REASON:** towards shop front improvements and signage, which includes an additional top up to assist with business equipment.

(Voting: Unanimous)

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#### 14. Retail Support Initiative Update (Agenda Item 11)

The Community Support Assistant and the Neighbourhood Development Officer presented the report to members and provided an update on the progress of the scheme.

She explained the proposed change to extend the qualifying elements to include up to £500 towards the cost of setting up a website.

During the discussions, members raised concern over the proposed grant towards website costs and suggested that grant money should be used to improve the buildings externally. It was suggested that members vote on the Wincanton top-up scheme separately to the area wide RSI scheme.

It was proposed and seconded that the criteria for the RSI scheme be approved as detailed in appendix 1 of the report, with the exception of the website element detailed in the report which will not be approved.

On being put to the vote, this was carried unanimously.

It was proposed and seconded that the Wincanton £1,000 top-up would be retained as per appendix 1; with the exclusion of the £300 business improvement grant and that the additional units listed on page 25 would be included within the scheme.

On being put to the vote, this was carried 6 in favour and 3 against.

**RESOLVED:** that members agreed that the maximum sums for Retail Support Initiative and Retail Support Initiative Wincanton top up would be retained for 2016/17. The operating criteria for the Wincanton top up would exclude up to £300 previously available for business improvement to give more focus on shopfront improvement.

**REASON:** To support and help to improve the retail offer in the towns and villages across Area East.

(Voting: Area Wide RSI Scheme Unanimous, Wincanton top-up scheme 6 in support and 3 against)

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#### 15. Community Capital Grant Requests (Executive Decision) (Agenda Item 12)

The Neighbourhood Development Officer addressed the Committee to present his report. He advised that there was a slight amendment to page 41 of his report; additional S106 money for Castle Cary and Ansford was now available and had been omitted from the financial implication details. The report should read 'If members agree the recommendations set out in this report, a sum of £2967 (not £887) will remain to be allocated.'

It was suggested that the three grant applications would be discussed in turn.

The Neighbourhood Development Officer, with the aid of a PowerPoint presentation slide, presented a landscaping plan which provided details of The Fairfield Project.

He advised members that the proposal would be advantageous to younger residents by providing additional facilities. He also pointed out that it was unlikely that an alternative site could be found.

Penny Steiner, Castle Cary Town Councillor, addressed the Committee and spoke in support of the project. She explained to members that residents would like to see the land, jointly owned by the two Councils, to remain as open space and welcomed the project for facilities such as a pump track.

There were no questions from members.

The Neighbourhood Development Officer summarised the application made by Horsington Parish Council towards funding for pond improvements. He explained that the pond is currently dredged approximately every 6 or 7 years.

Charles James, a representative of the Parish Council addressed the Committee. He explained that the current process of de-silting the pond was destroying the wildlife and hoped that a silt-trap at the top of the site would stop this from happening. He also pointed out that the proposal included a safe dipping area for children, would encourage wildlife such as water voles and newts and would create a nice feature for the village.

Ian Snowden, a member of the Parish Council and the project group, addressed the Committee and spoke in support of the application. He explained that the community would benefit from the project and pointed out the silt trap would be accessible from the road which would make maintenance easier.

Councillor William Wallace, Ward Member, supported the scheme. He agreed with the comments made and advised members that the pond attracted tourists and was popular with local residents.

Councillor Tim Inglefield, Ward Member, offered his support for the project and complimented the Parish Council for their work carried out so far.

The Neighbourhood Development Officer summarised details of the grant application made by South Barrow Parochial Church Council towards reordering the St Peter's Church to provide a meeting space.

He pointed out that the parish already had access to a village hall at North Barrow, but pointed out that funding had been found from a number of other sources and that the project was ready to go.

During the discussion, it was suggested that a clawback condition should be included to safeguard to AEC investment.

It was proposed and seconded that members agreed the capital grants as detailed in the officer report, subject to an additional clawback condition on the application for South Barrow Church.

**RESOLVED:** that

1) Members agreed a contribution of £7920 (6% of the total project costs) from the Community Capital budget to Castle Cary Town Council towards the Fair Field project,

subject to the standard conditions set out in appendix A and the following additional condition:-

That the applicant consults the Senior Play and Youth Officer on the design of the proposed Youth Facility prior to installation.

(Voting: Unanimous)

2) Members agreed a contribution of up to £5000 (36% of the total project costs) from the Community Capital Budget to Horsington Parish Council towards the refurbishment of Horsington Pond, subject to the standard conditions set out in appendix A.

(Voting: Unanimous)

3) Members agreed a contribution of up to £10,000 (11% of the total project costs) from the Community Capital Budget to South Barrow PCC towards the refurbishment of South Barrow Church, subject to the standard conditions set out in appendix A and the following additional condition:-

That the applicant provides assurance that the facility will be available as a community facility for a minimum of 15 years in line with SSDC grant policy as set out in appendix B.

That the applicant agrees to the terms of a clawback arrangement to safeguard the AEC investment.

(Voting: 7 in favour, with 2 abstentions)

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## **16. Endorsement of the Brewham Parish Design Statement (Agenda Item 13)**

The Neighbourhood Development Officer presented his report to members. He pointed out that SSDC had very little input into the Parish Design Statement and that the very detailed document had been funded by the local community.

It was proposed and seconded to endorse the Brewham Parish Design Statement. On being put to the vote, this was carried unanimously.

**RESOLVED:** that the Brewham Parish Design Statement be endorsed.

(Voting: Unanimous)

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## **17. Area East Committee Working Groups and Outside Organisations - Appointments of Members 2016/17 (Executive Decision) (Agenda Item 14)**

The Assistant Director (Communities) confirmed that the Wessex Cross Border Working Group no longer operated and membership could be removed. She advised that the number of Councillors to be appointed to the Dimmer Liaison Group could be reduced to one, rather than two and that it would be useful to appoint two members to the Henstridge Consultative Committee.

**RESOLVED:** It was unanimously resolved that

- (1) The Wessex Cross Border Working Group no longer operated and that Councillor Colin Winder would no longer be required to represent Area East Committee on the working group.
- (2) That the following members be appointed to the outside organisations and groups for 2016/17 as listed below;

**REASON:** To appoint district council representatives to outside organisations and groups.

Organisation	Number of councillors to be appointed and frequency of meetings	Representation 2016/17
Dimmer Liaison Group	1 - twice a year	Nick Weeks
Henstridge Consultative Committee	2 - twice a year	Tim Inglefield William Wallace
Heart of Wessex Local Action Group	1 – executive meets bi-monthly	Mike Lewis

(Voting: Unanimous)

#### **18. Development Control Scheme of Delegation - Nomination of Substitutes for Area East Chairman and Vice Chairman - 2016/17 (Executive Decision) (Agenda Item 15)**

It was unanimously agreed to nominate Councillors Colin Winder and Mike Beech to act as substitutes for the Chairman and Vice Chairman in their absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

**RESOLVED:** That, in line with the Development Control Revised Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s). For the 2015/16 municipal year the substitutes are Councillors Colin Winder and Mike Beech.

**REASON:** For members to nominate two members to act as substitutes for the Chairman and Vice Chairman in their absence.

(Voting: Unanimous)

#### **19. Area East Committee Forward Plan (Agenda Item 16)**

The Chairman pointed out that he was expecting the planning application for Henstridge Airfield to return to Committee next month.

It was confirmed that an update report on the Wincanton Sports Ground would follow when ready and an Area Development half year progress report would be included on the November agenda.



**RESOLVED:** That the Area East Forward Plan be noted and updates reports for Wincanton Sports Ground and Area Development be included on the Forward Plan.

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**20. Planning Appeals (for information only) (Agenda Item 17)**

Members noted the planning appeals which had been received.

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**21. Schedule of Planning Applications to be Determined by Committee (Agenda Item 18)**

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

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**22. 16/00090/FUL - Land and buildings adjoining Cooks Cary Farm, Lytes Cary, Kingsdon, Somerton (Agenda Item 19)**

The Planning Officer presented her report to members with the aid of a PowerPoint presentation.

She explained to the Committee that amended plans had been received for consideration which included a revised south gable. She advised members that following the submission of these amended plans, that she was now recommending that the planning application was approved, subject to conditions.

She pointed out that following amended plans, the consultation period to neighbour and consultees would expire on the 15<sup>th</sup> June 2016 and that a decision could be reached but not issued until after this date.

She continued to use a PowerPoint presentation, containing photographs and plans, to show the scheme as approved and the plans which were now being considered.

She explained to the Committee that the access to neighbouring properties was a concern as it did not accord with the plans which had been submitted. She did however point out the access met Somerset County Council's standing advice.

She advised members that she was now recommending approval of the planning application subject to conditions which;

- secure details of the gradient and surfacing of the first 5 meters of the access and that there be no obstruction to visibility above 900m above road level within the visibility splays set out on the approved plans
- remove Permitted Development rights for any new external openings in the dwelling
- remove permitted development rights for any new outbuildings
- ensured parking and turning area is free from obstruction
- ensured no entrance gates less than 5 meters from highway

Richard Montagu spoke in objection to the application. He was a resident of Lytes Cary Court and further represented another neighbour. He explained to the Committee that

the road alongside the site is an unrestricted, narrow and heavily used. He informed members that the planning application which was approved in 2012 retained visibility to the north of his access, but that the developer had built a wall 2.4 meters closer to the road which now restricted his view.

He informed members that it was now difficult and made him feel anxious when driving out of his property access. He also pointed out that the SSDC Highway Consultant indicated in his consultation letter that he would support a change to the wall. He urged members not to grant approval without alterations to the wall.

Stuart Sinclair, the applicant, addressed the Committee. He pointed out that the glazing issue had now been resolved and that although his client accepts the objections made by the neighbours, that he had consulted with both the neighbours and the planners. He also pointed out that the wall could be built to this height under permitted development rights.

Councillor David Norris, Ward Member expressed his concern that the development should have been built in accordance with the approved plans. He explained that although the issues with the overlooking had now been resolved, he still found the wall to be a concern. He read an extract from comments made by the SSDC Highway Consultant and pointed out that he hoped that the wall could be reduced in height or moved back to the approved position.

Following these comments, Stuart Sinclair pointed out that the previously approved plan showing the position of the wall was incorrect.

During the discussion, it was suggested that the application shouldn't be determined prior to the expiry of the consultation date. The Area Lead Officer (North/East) felt that this would not be an issue, providing that any additional comments received, if any, were passed to the Ward Member and Chairman of the Committee. The Legal Services Manager agreed that this would be acceptable.

The applicants permitted development rights and the neighbour's safety was discussed. It was also pointed out that applications have been approved for similar schemes.

Concern was raised over a shorter, corner section of the wall, which adjoined the highway and the neighbour's access, referred to as the 'milk-stand'. It was thought that this 'milk-stand' section of the wall could provide an opportunity for additional items to be stored on, such as signage or plants and that it should be removed.

Following the discussion, it was proposed and seconded that the application be approved subject to the conditions as suggested by the Planning Officer as well as a requirement that the applicant reconfigure the boundary wall, including the removal of the 'milk stand', in order to improve the next door neighbour's visibility. These revised boundary wall details should be agreed following re-consultation with the neighbours and the Parish Council and should be subject to a condition requiring these works be completed within two months of the date of the decision being issued. The application should be referred back to the Ward Member and Area Chair for their agreement prior to any decision being issued.

On being put to the vote, this was carried 7 votes in favour, with 1 abstention.

**RESOLVED:** that planning permission be approved for the following reason:

The proposed development, by reason of its location, layout, design and materials, is considered to make an appropriate reuse of this disused building in accordance with the provisions of paragraph 55 of the NPPF. The development respects the setting of the adjacent historic park and garden and is not considered to cause any demonstrable harm to visual amenity, residential amenity or highway safety in accordance with the aims and objectives of policies SD1. TA5. TA6, EQ2 and EQ3 of the South Somerset Local Plan.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the approved plans drawings numbered TC1601/2b received 27/05/2016 and TC1601/3 received 18/01/2016.

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

02. Prior to the occupation of the dwelling hereby approved, the external boarding proposed at first floor level on the southern gable shall be installed in its entirety. Prior to these works being carried out details of the timber boarding, including the materials, profile, finish / colour (to include the provision of a sample where appropriate) shall be submitted to and approved by the local planning authority. Once installed the timber boarding shall be maintained in this fashion in perpetuity.

Reason: In the interest of visual amenity and residential amenity to accord with policy EQ2 of the Local Planning Authority;

03. Within one month of the date of this permission details of the gradient and surfacing of the first five metres of the access shall be submitted to and agreed in writing by the local planning authority. Prior to the first occupation of the dwelling the access shall be constructed in accordance with the agreed gradient and surfacing details and there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on drawing number TC1601/3 received 18/01/2016. The access shall thereafter be maintained at all times in this fashion, unless otherwise agreed in writing by the local planning authority.

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

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby permitted, no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwelling, without the prior express grant of planning permission.

Reason: In the interest of visual and residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no outbuildings shall be erected within the curtilage of the dwellinghouse, other than those permitted by this permission.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. The parking and turning area shown on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with policy TA6 of the South Somerset Local Plan.

07. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the highway.

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

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Chairman