

Meeting AN **05M** 08/09
Date **27.08.08**

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held on **Wednesday, 27th August 2008** at the Village Hall, Chilthorne Domer.

(2.00 p.m. – 5.55 p.m.)

Present:

Members:

Patrick Palmer (Chairman)

Jill Beale	Paul Robathan
Tony Canvin	Keith Ronaldson
Ann Campbell	Jo Roundell Greene
Rupert Cox	Sylvia Seal
Roy Mills	Sue Steele
Derek Nelson (from 3.00pm to 5.40 pm)	Derek Yeomans

Officers:

Charlotte Jones	Head of Area Development (North)
Fiona Johnson	Senior Housing Support Officer
Adrian Moore	Play & Youth Facilities Officer
Les Collett	Community Development Officer
Natalie House	Community Regeneration Officer
Gerard Tucker	Economic Development Team Leader
Adron Duckworth	Conservation Manager
Paula Goddard	Senior Legal Executive
David Norris	Development Control Team Leader
Lee Walton	Planning Officer
Angela Cox	Committee Administrator

Others:

Kim Sharp Assistant Highway Manager, SCC

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

46. Minutes (agenda item 1)

The minutes of the meeting held on the 23rd July 2008, copies of which had been previously circulated, were approved as a correct record of the meeting.

47. Apologies for Absence (agenda item 2)

There were no apologies for absence.

48. Declarations of Interest (agenda item 3)

Councillor Keith Ronaldson declared a personal and prejudicial interest in Agenda Item 16, Planning Applications, 08/02999/FUL Stable House, Hamdon Stables, Park Lane, Montacute, Somerset, as a near neighbour of the applicant.

He left the room during consideration of this item.

Councillor Tony Canvin declared a personal and prejudicial interest in Agenda Item 16, Planning Applications, 08/02090/COU – Units 1 and 2, Plot 5 Bancombe Road Trading Estate, Somerton, as owner of the Trading Estate.

He left the room during consideration of this item.

49. Date of Future Meetings (agenda item 4)

Members noted that the next Area North Committee meeting would be held on **Wednesday 24th September 2008 at the Village Hall, Norton-sub-Hamdon.**

50. Public Question Time (agenda item 5)

There were no questions from members of the public.

51. Chairman's Announcements (agenda item 6)

The Chairman reported that he had received a reply from Somerset County Highways to his letter of 1st August regarding the spread of the ragwort weed along Highway verges in South Somerset. They confirmed that it was the policy of Somerset County Highways to pull the weed from all A class road verges, place it in black sacks and dispose of it at waste recycling centres. All other class of roads were cleared on a reactive basis following any complaints received. He noted that the Assistant Highway Manager was in attendance to answer any further questions from Members.

Several Members expressed their concern at the spread of the weed. The Assistant Highway Manager advised that he was attending a routine maintenance meeting the following day and he would raise the Committee's concerns there, however, he would welcome any further assistance that the Committee could give in highlighting the spreading problem. It was agreed that further letters be written to DEFRA and the two local MP's to express the Committee's concerns at the excessive spread of the ragwort weed across Somerset.

52. Reports from Members (agenda item 7)

Councillor Paull Robathan said he was pleased to report that £1.8m funding had now been confirmed for the new Levels and Moors Leader + programme. This would enable rural regeneration work to continue for a further 4 years. He confirmed that the current scheme was being evaluated and brought to a close whilst the new scheme would be established from December 2008 with improved governance and transparency.

Councillor Robathan also reported that he had been appointed as South Somerset and Mendip District Councils representative of the Taunton and Somerset Foundation Trust, based at Musgrove Park Hospital, Taunton.

Councillor Tony Canvin reported that the Section 106 legal obligation for the affordable housing scheme in Compton Dundon appeared to have grown from an original 5 page document to a 17 page document and he was concerned that this could hamper the viability of the development if lending organisations felt that the document was too restrictive and refused mortgages on that basis.

It was suggested that the matter be brought to the attention of the Chief Executive and Portfolio Holder and also raised at the next meeting of the District Executive Committee in an attempt to resolve the situation.

53. Update Report on the Welfare Benefits Take-up Programme (agenda item 8)

The Senior Housing Support Officer presented her report to Members. She said that although she only had a team of 2.4 full time staff, they had achieved an increase of £1,038,000 to annual income/lump sums of the residents they had assisted to claim the welfare benefits they were entitled to within South Somerset during 2007/08. They had also helped to maintain and save over 80 housing tenancies, which had potentially saved the Council around £200,000 in dealing with homeless persons applications. She said she was particularly pleased with the feedback from a recent Strategic Housing Service Inspection which stated that there were high levels of satisfaction being expressed by customers of the Welfare Benefits service.

The Senior Housing Support Officer reminded Members that she was now responsible for the Careline service, which provided emergency help at the touch of a button to it's customers and said she had, as an additional benefit, trained the Careline staff to make initial Welfare Benefit assessments of the new clients they visited.

In conclusion, she referred to the positive link between health and wealth and the benefits brought within South Somerset by the additional income for its residents.

In response to questions from Members, the Senior Housing Support Officer confirmed that:-

- The Careline office was to be used as a showcase for the latest equipment available to assist people to remain living independently. This would be open to Social Workers to view on behalf of their clients.
- The Careline call-centre continued to be based in Sedgemoor. Although the number of new clients in South Somerset was increasing, the service would not be looking to take clients from other parts of Somerset at the current time.

Several Members expressed their appreciation of the service provided in helping the public to claim welfare benefits, particularly the home visiting service offered and asked the Senior Housing Support Officer to pass on the thanks of the Committee to her staff for their excellent work in this vital area.

The Chairman warmly thanked the Senior Housing Support Officer for attending and providing a clear report. He asked that she sincerely thank her staff for their exceptional efforts on behalf of the residents of South Somerset.

RESOLVED: That the report be NOTED.

*Fiona Johnson, Senior Housing Support Officer - (01935) 462737
e-mail: fiona.johnson@southsomerset.gov.uk*

54. Area North Community Grants – Play Equipment for Ash and Montacute (Executive Decision) (agenda item 9)

The Play and Youth Facilities Officer confirmed that funding for the two playschemes had been set aside some time ago within the Area North Capital Programme and he was pleased to report that both projects were finally ready to commence work.

Members were very supportive of both applications and were pleased to confirm their grant funding.

RESOLVED: That:-

1. a grant of £8,500 be made to Ash Parish Council, subject to the standard SSDC Community Grants Conditions and special conditions for play areas as detailed in Appendix A to this report, and four additional Good Practice conditions detailed below, from the Area North Capital Programme.
2. a grant of £6,199.07 be made to Montacute Parish Council, subject to the standard SSDC Community Grants Conditions and special conditions for play areas as detailed in Appendix A to this report, and four additional Good Practice conditions detailed below, from the Area North Capital Programme.
 - I. Applicants must read the sheet – The Seven Play Provision. Objectives and Enriched Play Environment Criteria and provide supporting evidence saying how their project meets it.
 - II. Applicants must send a representative to SSDC's Routine Visual Playground Inspection training and Introduction to Playground Management training at their own expense.
 - III. Applicants from successful projects will be encouraged to share good practice with other applicants.
 - IV. Applicants should ensure that communities are consulted about play areas proposals and children and young people's views are sought and considered, and provide evidence of this with their application.

Reason: To approve the allocation of financial support towards Ash and Montacute Parish Councils towards the purchase of new play equipment.

(Voting: unanimous in favour)

*Adrian Moore, Play & Youth Facilities Officer - (01935) 462409
e-mail: adrian.moore@southsomerset.gov.uk*

55. Area North Small Business Development Grant Scheme 2006 – 2008 Evaluation (Executive Decision) (agenda item 10)

The Community Regeneration Officer reported that she had received 45 enquiries from businesses regarding the business development grant scheme during 2006 to 2008 and these had translated into 17 successful grants being made, as not all the businesses matched the eligibility criteria. She highlighted several local businesses which had benefited from grants of up to £1,000.

During discussion, Members were fully supportive of continuing with the small business development grants scheme, however, concern was expressed at some of the criteria proposed for the new grants scheme, mainly relating to the proposal to extend it to include businesses of up to 50 employees. It was agreed that the criteria be finalised by the Business Support Officer and Community Regeneration Officer in consultation with Councillors Rupert Cox and Jo Roundell Greene.

Members were fully supportive of continuing the Small Business Development Grant Scheme and recommending that consideration be given by District Executive to establish a district-wide business support grant scheme within the new Corporate Plan.

RESOLVED: That Members:

1. note the report.
2. support the continuation of the Area North Small Business Development Grant Scheme for a further 18 months to March 2010 with the remaining allocation of £7,640 from the Area Reserves and a further £20,000 available from the Area North Capital Programme.
3. agree that the criteria for processing applications for business support be jointly agreed by the Business Support Officer, the Community Regeneration Officer (North) and Councillors Rupert Cox and Jo Roundell Greene.
4. agree that the Business Support grants are delivered by the Business Support Officer in conjunction with the Area Development Team for publicity and budget monitoring.
5. delegate financial authority to the Economic Development Team Leader in accordance with SSDC financial procedures.
6. request that consideration be given to the establishment of a district-wide business support grant scheme within the new Corporate Plan.

Reason: To support the continuation of the Area North Small Business Development Grant Scheme.

(Voting: unanimous in favour)

*Natalie House, Community Regeneration Officer (North) - (01458) 257487
e-mail: natalie.house@southsomerset.gov.uk*

56. Area North Grants – Monitoring Report (agenda item 11)

The Community Development Officer drew Members attention to several projects which had been assisted by small community grants from Area North. He confirmed that each project had been assisted with at least 50% from outside match funding and for some projects, no financial assistance had been necessary, only officer time and advice had been given.

Members were pleased to hear of the wide ranging projects which had been assisted and congratulated the Community Development Officer and staff within the Area North Development team for their enthusiasm and assistance to the various projects.

RESOLVED: That the report be NOTED.

*Madelaine King-Oakley, Area Support Team Leader - (01458) 257428
e-mail: madelaine.king-oakley@southsomerset.gov.uk*

57. Area North Development Plan – Quarterly Monitoring Report (Executive Decision) (agenda item 12)

The Head of Area Development (North) advised that most schemes were progressing well within the Area Development Plan. The amber indicator against some schemes signaled that they required extra officer time and monitoring to ensure that they would be delivered by the end of the financial year.

She commended her recommendation to allocate additional funding to complete the feasibility study for the Langport to Cartgate cycleway which she said once completed would help to progress the project itself. The funding requested towards the re-use of redundant buildings or workspace development would allow her to commission external professionals to complete small pieces of work to progress certain projects.

During discussion, it was noted that the completion of the pathway and landscaping work at Cocklemoor bridge should be completed within the following two weeks. Members felt that greater prominence be given to within the Area Development Plan to progressing affordable rural housing and were pleased to hear that a report on this was proposed to be presented to the Committee in November 2008.

Members were content to endorse the recommendations within the report and asked that greater prominence be given to the provision of affordable rural housing within the Area Development Plan in future.

RESOLVED: That Members:-

- a) note and comment on the report.
- b) allocate £1,500 from the Area North Committee reserves towards completion of the feasibility study for the Langport – Cartgate Cycleway.
- c) allocate £2,500 from the Area North Reserves towards professional and other fees to progress priorities for the re-use of redundant buildings or workspace development within Area North.
- d) recognise the importance of providing affordable rural housing as a priority within the Area North Development Plan.

Reason: To progress schemes within the Area Development Plan.

(Voting: unanimous in favour)

*Charlotte Jones, Head of Area Development (North) - (01458) 257401
e-mail: charlotte.jones@southsomerset.gov.uk*

58. Area North 2008/09 Budget Monitoring Report for the period ending 30th June 2008 (agenda item 13)

Members were content to note the report.

RESOLVED: That the Area North budget position as at 30th June 2008 be noted.

*Karen Gubbins, Management Accountant - (01935) 462205
e-mail: karen.gubbins@southsomerset.gov.uk*

59. Area North Forward Plan – (For Information) (agenda item 14)

Members were content to note the report.

RESOLVED: That the contents of the Forward Plan be NOTED.

*Angela Cox, Committee Administrator - (01458) 257437
e-mail: angela.cox@southsomerset.gov.uk*

60. Planning Appeals (agenda item 15)

Members were content to note the report.

RESOLVED: That the Planning Appeals report be NOTED.

*Simon Gale, Head of Development & Building Control - (01935) 462071
e-mail: simon.gale@southsomerset.gov.uk*

61. Planning Applications (agenda item 16)

****08/01669/FUL – Erection of 1 no. dwellinghouse and garage on land adjacent to Apple Acre, Folly Road, Kingsbury Episcopi, Martock Somerset TA12 6BH.**

Prior to the discussion, the Development Control Team Leader confirmed that in consultation with the Chairman of the Committee, because of the numerous reasons for refusing the application, listed in the Planning Officers report, and any possible precedent that could be set, it had been agreed that the application would need to be referred to the Regulation Committee, if the Area Committee were unwilling to accept the Planning Officer's recommendation to refuse.

The Development Control Team Leader introduced the report with the aid of a powerpoint presentation of photographs of the site. He noted that although the site was within the Conservation Area of the village, it was just outside the defined Development Limit and this was the principal reason for the officer's recommendation of refusal. He felt that the listed railings adjacent to the site would need to be significantly altered to achieve a visibility splay and the railings were not in the ownership of the applicants.

Mr James Ewart Fox, Agent for the applicant, said the site was close to the centre of the village and was not in open countryside but was a sustainable infill site. He said the design of the property would be more traditional than some of the nearby reconstituted stone houses and as such, would relate well to the conservation area. He noted that the site was currently agricultural land and the existing access was already used by large agricultural vehicles without difficulty or restriction. Because the site was within a 30mph speed restriction then current Highway guidance recommended an entrance 2m from the highway, not 2.4m, and therefore a visibility splay could easily be achieved. There was no proposal to alter the listed railings on the adjacent site.

The Ward Member, Councillor Derek Yeomans, spoke in support of the application. He said the existing access was already in use by HGV traffic without difficulty, there would always be a need to travel from the village as there were limited services, the road at that point curved to the left which gave a clear access view in both directions, the house would be constructed in natural stone, not reconstituted and it was a natural infill site. He proposed that approval be given to the application.

During discussion, Members felt that the proposal was acceptable and that the Highway objections were minor as they could relate to any property within that area. It was noted that the village was served by a school, church, bus service, public house and delivery services. It was also felt that the design and use of natural stone in a conservation area were acceptable. Members noted their frustration at outdated development limits imposed some years ago on rural villages which now restricted sensible development.

It was proposed and seconded that planning permission be granted and on being put to the vote, the proposal was carried (voting: 12 in favour, 0 against, 1 abstention).

- RESOLVED:** That the application be referred to the Regulation Committee with a recommendation that planning permission be **GRANTED** for the following reasons:-
- Appropriate infill location within the Conservation Area of the village

- Not detrimental to the existing streetscene
- No adverse impact upon highway safety
- Property will not detrimentally impact upon the existing listed railings adjacent to the site

(Voting: 12 in favour, 0 against, 1 abstention)

08/02828/LBC – Internal alterations to create a new floor to replace the existing flagstone floor at East Lawn, Water Street, Martock, Somerset TA12 6JN

The Chairman advised that the application had been withdrawn from the agenda.

08/02999/FUL - Modification of existing windows, formation of new windows and the installation of sunpipes to the north roof slope at Stable House, Hamdon Stables, Park Lane, Montacute Somerset TA15 6XN

(Councillor Keith Ronaldson, having earlier declared a personal and prejudicial interest, left the room during consideration of this item).

The Planning Officer advised that the application was before Members as the applicant was an officer of the Council and a previous scheme to insert additional windows into the building had been considered by the Committee in June 2007. Since then, the applicant had consulted the Conservation team and now proposed a new scheme which was acceptable to all parties.

The Ward Member, Councillor Jo Roundell Greene, said the proposed scheme was finely balanced between what was appropriate for a converted barn and what was not.

The Conservation Manager acknowledged that new openings in barn conversions were strictly limited, however, this particular site, although in a prominent roadside position, was not listed nor within any conservation area. He said recent guidance from English Heritage recommended that a well-considered design to new openings could be acceptable and they could be expressed as modern interventions without appearing historic. He acknowledged that this was only guidance, not policy.

During discussion, varying views were expressed. Some Members felt that the scheme did not differ greatly from the previous one and to allow permission could set a precedent for other barn conversions, whilst others said the use of sunpipes could make a difference to lighting the interior without creating new openings. It was also mentioned that the Committee had carefully considered the original scheme to redevelop the whole site and to amend it now would not be right.

It was proposed to refuse permission because of the impact of the scheme on the agricultural form of the building in its important location. On being put to the vote, the proposal was carried (voting: 5 in favour, 4 against, 2 abstentions).

- RESOLVED:** That planning permission be **REFUSED** for the following reason:-
- Adverse impact on the agricultural form of the building in its important location

(Voting: 5 in favour, 4 against, 2 abstentions)

08/02225/S73 - Application to remove Condition 3 of decision notice 02/00835/FUL so the permission is not personal at The Caravan, Pitney Hill, Pitney, Langport, Somerset TA10 9ES

The Planning Officer advised that since writing his report, the Highways Officer had visited the site and reported that removal of the entrance gates and consolidation of the surface at the entrance would overcome his highway objections to the application. He noted that the site had become a lawful gypsy site in 1995 and a personal condition, restricting occupation to the sons of the applicant and their families had been imposed in 2002. He said the site was not visually dominant and he recommended approving the request for the personal condition to be removed. As defined in paragraph 15 of planning Circular 01/06, he proposed extending Condition 1 of his reasons for approval to require the names and proof of gypsy/traveller status of all occupants of the site, be submitted to the Local Planning Authority within 21 days of the date of planning permission and any change of such occupiers in the future be similarly notified to the Local Planning Authority within 14 days of occupation.

The Ward Member, Councillor Rupert Cox, said the current family living at the site were well respected in the area and managed the site well. He cautioned that allowing non-family members could upset the current tranquillity of the site and queried who would be appointed to manage it. He also noted the Parish Council's concerns regarding who would be responsible for ensuring planning conditions were adhered to.

The Development Control Team Leader noted that the existing condition limiting the occupation of the site to the Loveridge family only was restrictive and could be difficult to defend on appeal. He said there was no reason to believe that 3 separate families could not live amicably together.

During discussion, varying views were expressed by Members. Some felt this was a one family site and to change that could lead to future problems, whilst others felt to refuse or defer the application was to delay an inevitable decision in time.

It was proposed to grant permission in line with the Planning Officer's recommendation with the amendment to Condition 1 to require the names and proof of gypsy/traveller status of all occupants of the site, and on being put to the vote, it was carried (voting: 6 in favour, 6 against, 1 abstention with the Chairman's casting vote in favour of the planning officer's recommendation to grant permission).

RESOLVED: That planning permission be **GRANTED** for reasons 1 to 6 as detailed in the Planning Officer's report, with the amendment to Condition 1 to require the names and proof of gypsy/traveller status of all occupants of the site, be submitted to the Local Planning Authority within 21 days of the date of planning permission and any change of such occupiers in the future be similarly notified to the Local Planning Authority within 14 days of occupation.

(Voting: 6 in favour, 6 against, 1 abstention with the Chairman's casting vote in favour of the planning officer's recommendation to grant permission)

08/02615/S73 - Application to vary Condition 2 of decision notice 98/02559/FUL to remove wording "occupied by members of the same household" at Prospect House, Picts Hill, High Ham, Langport, Somerset TA10 9AA

The Planning Officer advised that since writing his report he had received confirmation from the Highway Authority that their objections had now been overcome and were

withdrawn. However, the site was still outside the confines of any major settlement and would increase the reliance on private motor transport and would in effect, result in a separate dwelling in open countryside. His recommendation remained that of refusal.

Mrs L Symes, one of the applicants, reminded the Committee that the annexe had been built in 1998 for her ailing father and mother-in-law to allow herself and her husband to care for them. She said they had not considered at that time what would happen to the annexe when her parents were no longer there. The annexe had now remained unoccupied for 18 months as there were no other family members able to live there and as it was some 7 metres distant from the main house, they were unable to incorporate it. She said they were not seeking to make a separate property but only to be able to make appropriate use of it. Since permission had been granted in 1998, four major development sites had been granted approval within a 1 mile radius which would create far more impact upon the locality than their one annexe.

The Ward Member, Councillor Rupert Cox, noted that the site was only 20 yards from the regular Taunton to Yeovil bus stop and therefore reason 1 of refusal could not apply. He said the applicants did not wish to use the annexe as bed and breakfast or holiday accommodation and did not wish to sell it either and he asked Members to support the application to vary Condition 2.

During discussion, Members were supportive of the application and queried whether a Section 106 obligation was necessary. The Senior Legal Executive confirmed that a Section 106 obligation had not formed part of the original permission and it would not be appropriate to impose one now. The Development Control Team Leader felt the site could be controlled by appropriate conditions similar to those imposed on the original permission, with a variation to Condition 2 to remove the wording "occupied by members of the same household".

It was proposed to grant permission and on being put to the vote, it was carried (voting: unanimous in favour).

RESOLVED: That planning permission be **GRANTED** subject to appropriate conditions to be delegated to the Development Control Team Leader in consultation with the Ward Member.

(Voting: unanimous in favour)

08/02090/COU - The use of depot for the storage of modular pontoon blocks (Use class B8 Storage & Distribution) at Units 1 and 2, Plot 5 Bancombe Road Trading Estate, Somerton, Somerset TA11 6SB

(Councillor Tony Canvin, having earlier declared a personal and prejudicial interest, left the room during consideration of this item).

The Planning Officer advised that although the main concerns of the application were that the storage area would impinge upon parking and turning within the site and could lead to vehicles being obliged to reverse out of the site, the Highway Authority had raised no objections. Therefore, given the strong objections from the Town Council, he recommended a temporary approval of two years, personal to the applicant only and to review the matter at the end of that period. He also advised that Condition 2 of his reasons for approval had been deleted.

Mr J Deering, spoke on behalf of Somerton Town Council. He said the Town Council had a duty of care which included road safety on the trading estate. He felt that large

articulated lorries would not be able to negotiate around the storage at the site and would be forced to reverse into the busy estate road. This would be dangerous as there were many vehicles visiting the household waste recycling centre nearby and a further 30 units with associated traffic beyond.

Mr M Smith said the trading estate was well run and well maintained and he felt that allowing the storage area would encourage on-street parking and necessitate lorries reversing from the site.

The Ward Member, Councillor Jill Beale, said the Highways Officer had acknowledged that it would be difficult for larger vehicles to turn on the site and exit in forward gear and there were concerns that on-street parking could occur. She felt that to allow the application could encourage others to come forward.

The Planning Officer confirmed that the unit currently had permission for B1 and B2 business use and the application sought B8 storage and distribution use.

During discussion, varying views were expressed. Some Members felt that it would be detrimental to use a designated parking and turning area for storage whilst others said there was nothing to prevent vehicles reversing from any of the units within the trading estate already.

It was proposed to grant permission in line with the Planning Officer's recommendation and on being put to the vote, was carried (voting: 6 in favour, 3 against, 2 abstentions).

RESOLVED: That planning permission be **GRANTED** for reasons 1 and 3 as detailed in the Planning Officer's report.

(Voting: 6 in favour, 3 against, 2 abstentions)

.....
Chairman