

Meeting JAN 04M:0809
Date 22.04.09

South Somerset District Council and Somerset County Council

Minutes of a meeting of the **Joint Area Committee - North** held in the Village Hall, Long Sutton on **Wednesday, 22nd April 2009**.

(2.00 p.m. – 5.35 p.m.)

Present:

Members: Patrick Palmer (In the Chair)

Jill Beale	Philip Horsington
Ann Campbell	Roy Mills
Douglas Campbell	Derek Nelson
Tony Carvin (from 3.35 p.m.)	Keith Ronaldson (from 2.10 p.m.)
Pauline Clarke	Sylvia Seal (from 2.15 p.m.)
Rupert Cox	Sue Steele
Sam Crabb (until 4.00 p.m.)	Derek Yeomans

Officers:

Charlotte Jones	Head of Area Development (North), SSDC
Leslie Collett	Community Development Officer (North), SSDC
Teresa Oulds	Community Regeneration Officer (North), SSDC
Steve Brewer	Community Safety Co-ordinator, SSDC
David Norris	Development Control Team Leader (North/West), SSDC
Linda Hayden	Planning Officer, SSDC
John Millar	Planning Officer, SSDC
Roger Wotton	Senior Enforcement Planner, SSDC
Paula Goddard	Senior Legal Executive, SSDC
Tim Stafford	South Somerset Area Manager, Children's Social Care (SCC)
Scott Wooldridge	Service Manager – Community Governance Team, SCC
Ian McWilliams	Planning Liaison Officer (Highways), SCC
Vicky Breeze	Community Development Officer, SCC
Andrew Blackburn	Committee Administrator, SSDC

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 25th March 2009, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

47. Apologies for absence (Agenda item 2)

Apologies for absence were received from Councillors Jo Roundell Greene and Paull Robathan.

48. Declarations of Interest (Agenda item 3)

Cllr. Roy Mills declared his personal and prejudicial interest in planning application no. 09/00023/FUL (demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping, land rear of Westfield House, Westfield Road, Curry Rivel) as he had been appointed by the Council to the Board of South Somerset Homes who were the applicants.

Cllr. Roy Mills also declared his personal and prejudicial interest in Confidential Supplementary Agenda item 15 regarding the unauthorised use of land for the siting of a motor home and trailer for the purpose of residential accommodation on land adjacent to A303 highway, Tintinhull Forts Interchange, as he knew the occupier of the land.

Cllr. Philip Horsington declared his personal and prejudicial interest in Confidential Supplementary Agenda item 15 regarding the unauthorised use of land for the siting of a motor home and trailer for the purpose of residential accommodation on land adjacent to A303 highway, Tintinhull Forts Interchange, as he was an adjacent landowner to the site concerned and a member of Tintinhull Parish Council.

Prior to its discussion, Cllr. Keith Ronaldson declared his personal and prejudicial interest in planning application no. 09/00512/FUL (formation of new windows to ground floor of dwellinghouse, The Forge, Hamdon Stables, Park Lane, Montacute) as he was the applicant.

49. Date of Next Meeting (Agenda item 4)

The Chairman reminded members that the next meeting of the Joint Area Committee - North would be held on Wednesday 27th May 2009 in the Community Hall, Somerton.

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 referred to the site visit that would be taking place before the planning application was considered in respect of the redevelopment of South Petherton Hospital. He encouraged members of the Committee to attend the site meeting.

52. Reports from Members (Agenda item 7)

Cllr. Ann Campbell referred to the Market House at Martock, which had now been refurbished and opened as a community point for local people. She encouraged members to have a look at the building, which had been remodelled so successfully. Cllr. Douglas Campbell mentioned that the official opening would be held on 15th May 2009. The Chairman commented that it was hoped to include the Market House in a forthcoming planning tour for members.

Cllr. Rupert Cox referred to the Annual Meeting of Town and Parish Councils held last month and to issues including planning enforcement and progress with the provision of

affordable housing having been raised. He asked that a report be made to the next meeting of the Committee to update members with regard to these matters.

The Chairman mentioned how useful the annual meeting with Town and Parish Councils was in bringing forward items that affected local communities. In that respect, Cllr. Douglas Campbell referred to a particular bend in the road at Long Load and to the action that was being taken in an effort to ensure the provision of a safe footpath in that locality.

53. Safer and Stronger Neighbourhoods (Community Safety) (Agenda item 9)

The Head of Area Development (North) introduced Sgt. Alan Bell from Avon and Somerset Police who gave a short presentation on the activities and achievements of neighbourhood policing in Area North. She also mentioned that Councillor John Deering, Chairman of the Area North Community Safety Action Panel, was present to answer any questions members may have on the work of the Panel.

In making his presentation, Sgt. Bell mentioned that the policing area was now aligned with the District Council's area boundaries and he outlined the personnel who operated within the local neighbourhood policing teams. He indicated that police presence in the local communities was being looked at together with changes to shift patterns so that there was sufficient cover during the day and evenings. Patrol patterns had also changed to reflect priorities in the community. He also commented that, in addition to neighbourhood policing teams, there was a separate response team for South Somerset. Reference was made to communications with the police and he mentioned that there should now be a better response with feedback. He indicated that IT could still be improved including how quickly web pages were updated. Sgt. Bell further mentioned his idea that PCSOs could take over the role that was previously undertaken by a village constable. He was also looking to improve the skills that the PCSOs had. He referred to crime being below the national average and to anti-social behaviour being the largest problem.

During the ensuing discussion, Sgt. Bell answered members' queries on local issues. A number of comments were also made, including the following:-

- a member thanked both Sgt. Bell and the Council's Community Development Officer for their work in dealing with problems in his area, particular reference being made to anti-social behaviour in Chilthorne Domer and anti-social behaviour and graffiti in Montacute. He further encouraged members to stress to parish councils that working in partnership with the police and others was important to address these kind of problems;
- reference was made to the training that took place with regard to Section 17 of the Crime and Disorder Act 1998, which promoted the practice of partnership working to reduce crime and disorder and placed certain duties on the police and local authorities as part of local decision making. A member suggested that it would be a good idea for another training session for members to be arranged to which Beat Managers and PCSOs could be invited;
- comment was expressed that police patrol patterns were important as were the need to keep links and communications open;

- the Committee noted that there had been an increase in the theft of sheep, cattle and other livestock in South Somerset. It was felt that there needed to be a heightened awareness amongst people of that type of crime;
- a member gave an example of where the intervention of a PCSO had led to a positive outcome in that Tintinhull Youth Club was now running for one day per week. It was commented that it would be ideal if there were two evenings running for separate age groups and that a small grant may help with that;
- Cllr. John Deering thanked the Committee for the grant of £10,000 awarded to the Area North Community Safety Action Panel, which was being used to respond to community safety needs. He informed members of the various projects that had been supported so far with the grant funding. He also mentioned that the Panel worked with a number of different agencies and could help with any cross-cutting issues;
- reference was made to the good work that was being done to improve Neighbourhood Watch and Speedwatch groups in the Curry Rivel area;
- reference was made to it being desirable for improved communications with parish councils generally, it being suggested for example that they could be informed of shifts/policing patterns;
- a member commented on the benefit of PCSOs visiting parish councils as well as holding their own workshops. Sgt. Bell acknowledged the comments made relating to attendance at parish council meetings. He mentioned, however, that due to the large number of parish councils in Area North there would be some difficulty in attending them all. He indicated, however, that an officer would certainly attend where there was a particular issue or concerns that had been raised or where there was a need for a response to a particular problem;
- a member referred to the proactive work by a PCSO in Long Sutton in arranging for a box to be placed in the Post Office to enable people to leave messages about incidents. It had been indicated, however, that there may be a problem with the initiative conflicting with normal police reporting processes and it was felt that this issue needed to be clarified and addressed;
- a member commented on the situation whereby children were placed with foster families in Somerset by authorities outside the County and queried the support that may be available to them bearing in mind a case where certain problems had necessitated the involvement of the police;
- reference was made to many people and agencies working towards the same aim and to the importance of working in partnership, including pooling funding where appropriate;
- in response to a question, the Head of Area Development clarified the constitution of the Area North Community Safety Action Panel including how the panel worked, together with its relationship with the local action groups and parish councils. She also indicated that the agendas and minutes of the Community Safety Action Panel were published on the internet;
- the Committee concurred with the comments of a member that it would be helpful if Sgt. Bell could attend the Committee, perhaps 3 or 4 times per year, to update members on the activities of the Neighbourhood Policing Team.

The Chairman thanked Sgt. Alan Bell and Cllr. John Deering for attending the meeting to update members and for responding to their questions and comments.

NOTED.

*(Charlotte Jones, Head of Area Development (North), SSDC – (01458) 257401)
(charlotte.jones@southsomerset.gov.uk)*

54. Somerset County Council Children and Young Peoples Directorate – a Service Overview (Agenda item 8)

Reference was made to the agenda report and the Area Manager, Children's Social Care, SCC, gave a presentation to brief members about the services provided by the Children and Young People's Directorate. He explained how services for children and young people had evolved together with the structure of the Directorate including the South Somerset area and the local service teams. He also outlined the priorities contained within the Children and Young People's Plan 2009-2011.

Cllr. Pauline Clarke, Portfolio Holder for Strategic Services for Children and Young People, SCC, referred to the statutory nature of children's services and the need for the County Council to have a directorate, together with a lead member, to be responsible for those services. She also referred to the details of a partnership board comprising representatives of the County Council and District Councils and to looking at making it more effective by including representatives from other appropriate agencies such as the Health Service, Police, Probation Service and youth organisations.

The Area Manager and Portfolio Holder then responded to members' questions and comments on points of detail regarding the Children and Young People's services. Points addressed included the following:-

- reference was made to the comment raised by a member under the previous agenda item regarding children being fostered outside their immediate area and the problems that had occurred in respect of a particular case. The Portfolio Holder mentioned that initiatives were taking place with regard to such situations to prevent them from developing and the Area Manager informed members of the obligations of an authority with regard to fostering including in cases where children were placed with foster carers outside of their area;
- the attainment of children at school and of those leaving with low expectations was generally discussed. Reference was made to Children's Centres being an important additional resource and to being optimistic that they would make a significant difference. The benefits of early intervention were recognised;
- members were informed of a website that was available listing activities within Somerset for young people aged 11-19;
- reference was made by a member to the Children and Young People's Service being huge with a massive budget and staff covering a very wide remit;
- a member referred to the importance of being involved with schools as governors to ensure that they were running efficiently;

- in response to a question, information was given with regard to the people who were involved when considering pupil exclusions.

The Chairman thanked the Area Manager, Children's Social Care, for his informative presentation giving an overview of the services provided by the Children and Young People's Directorate.

NOTED.

*(Tim Stafford, South Somerset Area Manager, Children's Social Care - (01823) 355104)
(tstafford@somerset.gov.uk)*

55. Area North Capital Programme (Executive Decision) (Excepted Business) (Agenda item 10)

The Head of Area Development (North) summarised the agenda report, which provided members with details of the Area North Capital Programme including details of current commitments and recommendations for the inclusion of revisions to the "in principle" allocations in the programme.

During the ensuing discussion, the Committee noted the comments of a member who queried whether there would be a contribution from Somerset County Council towards the Capital Programme after the County Council elections had taken place this year.

In response to comments from members, the Head of Area Development gave more details regarding the Langport Vision scheme. Information was also given on the partners that were involved in the project.

The Head of Area Development also clarified the reference in the agenda report to the provision of £300,000 for play and youth facilities in Area North, which was contained within the Corporate Programme and was specific to a number of sites that had been selected and approved.

The Committee indicated its support for the proposed revisions to the Capital Programme as set out in the agenda report.

- RESOLVED:** (1) that the proposed revisions to the Area North Capital Programme, as set out in section 6 of the agenda report, be approved;
- (2) that it be noted that Financial Services will present the revised capital programme in the next quarterly monitoring report, profiled over 3 years.

Reason: To approve revisions to the allocations within the Area North Capital Programme.

(Resolution passed without dissent)

*(Charlotte Jones, Head of Area Development (North) (SSDC) – (01458) 257401)
(charlotte.jones@southsomerset.gov.uk)*

56. Joint Area North Forward Plan (Agenda item 11)

Reference was made to the agenda report, which informed members of the proposed Joint Area Committee – North Forward Plan.

RESOLVED: that the Joint Area Committee – North Forward Plan as attached at Appendix A of the agenda be noted.

(Resolution passed without dissent)

(Angela Cox, Committee Administrator (North) (SSDC) - (01458) 257437)
(angela.cox@southsomerset.gov.uk)

57. Planning Appeals (Agenda item 12)

The Committee noted the details contained in the agenda report, which informed members of planning appeals that were lodged, dismissed or allowed.

NOTED.

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

58. Planning Applications (Agenda item 13)

The Committee considered the applications set out in the schedule attached to the agenda and the planning officers gave further information at the meeting and, where appropriate, advised members of letters received as a result of consultations since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning applications files, which constitute the background papers for this item).

09/00512/FUL (pages 1 - 4) – Formation of new windows to ground floor of dwellinghouse (GR 349030/116388), The Forge, Hamdon Stables, Park Lane, Montacute, - Mr. K. & Mrs. C. Ronaldson.

Cllr. Keith Ronaldson, having declared his personal and prejudicial interest in this item withdrew from the meeting during its consideration and determination.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the main consideration being the impact of the proposals on the character of the existing building. The Committee noted that the recommendation was one of approval subject to conditions.

The Committee noted the comments of the applicant's agent, Mr. G. Vincent, who referred to a similar application having been granted in respect of a neighbouring property following the upholding of a planning appeal by the Planning Inspectorate. He mentioned that the conversion of the property had been carried out some time ago and that it was generally agreed that there was poor internal light. He referred to the proposed openings being expressed in a modern form rather than in the vernacular and to the application being modest with only two additional windows being proposed. He mentioned that the windows would be of a similar modern type as those at the

neighbouring property, Stable House, and to the property subject of this proposal being smaller and in a less prominent position. He did not consider that the proposals would be detrimental to the building but would improve the wellbeing of the occupiers.

In response to a question, the Planning Officer confirmed that the proposed windows were metal framed as were those in the neighbouring property, which had been granted permission on appeal. Cllr. Philip Horsington, Parish Representative on the Committee, commented that the proposed windows could be considered commensurate with those in the neighbouring property.

During the ensuing discussion, the majority of members indicated that they did not support the application as they felt that the proposed windows would have a detrimental impact on the character and appearance of the building. Members were aware, however, that this application was similar in nature to the one recently considered at Stable House, which had been allowed on appeal because of the poor levels of light, and accepted that there were no planning reasons to refuse the application.

RESOLVED: that planning application no. 09/00512/FUL be granted subject to conditions 1-3 as set out in the agenda report.

(6 in favour, 0 against, 5 abstentions)

08/05025/FUL (pages 5 - 17) – Conversion of modern agricultural building into farm shop and the construction of an access track (GR 339818/121999), Scotts Farm, Water Street, Hambridge - Mr. E. Shaquer.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. She referred to the key issues to be taken into account including the formation of the new access track together with the highway and flooding implications. The Planning Officer also showed photographs of flooding at Underhill Cottages that had been provided by the residents in accordance with the Council's appropriate protocol. The Committee noted that the recommendation was one of approval subject to conditions.

The representative of the Parish Council, Mr. S. Denley, commented that they had strong reservations about this application because of the flooding that had occurred in the locality and concerns that the proposed access track could exacerbate the flooding. He also referred to a number of residents in the locality having experienced flooding and to their concerns that it may be exacerbated if this proposal went ahead. He further commented on the road safety aspects and referred to there having been several incidents caused by vehicles speeding around the bend at this point in the road.

The Committee noted the comments of Mr. K. Loveridge in objection to the application. He referred to flooding that had taken place at his property and explained his concerns that the proposed access track could cause more flooding problems.

Mrs. J. Lucas also spoke in objection to the application. She expressed her concerns about certain work having already commenced on the proposals prior to planning permission having been granted. She further referred to having sent a letter to the Environment Agency about the flooding aspects but had not received a reply. She also questioned whether the applicant's landholding would be sufficient to make the farm shop viable and was concerned that the business may have to diversify. She hoped that no further development would be allowed.

The applicant's agent, Mr. C. Morris, referred to the reasons for the farm shop having been mentioned when the application was considered at the Committee's previous meeting. He referred to the issues that had been raised regarding the access track having been addressed and to details of the proposed ramp having been submitted. He also referred to the Planning Department, Highway Authority, Environment Agency, Drainage Board and Wessex Water having been involved to address the issues of concern that had been raised.

Cllr. Philip Horsington, Parish Representative on the Committee, expressed concern about having two accesses onto the B3168 close to each other, which he felt would not improve safety. He also referred to the drainage issues and to concerns regarding the access track and the protection of the Wessex Water infrastructure within the area of the track. He also referred to recommended condition 4 relating to the produce to be sold from the farm and wondered how that would work out.

Cllr. Derek Nelson, County Council Division member, referred to the flooding issues and expressed his concern about the proposed access, which could be subject to flooding. He also referred to the bend on the road in this location, which he considered to be dangerous and was concerned about another access point being introduced.

Cllr. Sue Steele, District Council ward member, also expressed concern about the road safety and flooding issues. She was also surprised that there was no viability study for the farm shop.

The Planning Liaison Officer (Highways) explained the reasons why it was considered that the proposed new access had the potential to be safer in this case.

During the ensuing discussion, other members also expressed concerns about the flooding, access and viability issues. The view of a member that the issues concerning flooding and access had now been addressed was also mentioned. Additionally, concerns were expressed about the visual aspects of the proposals especially the visual impact of the access track, which it was felt would have a detrimental affect on the character and appearance of this rural area.

The Senior Legal Executive reminded members that any reasons for refusal must be precise, specific and relevant and be able to be substantiated otherwise the Council may be liable to costs in any appeal.

The Development Control Team Leader expressed his view that viability did not need to be proven and it would therefore be difficult to substantiate this as a reason for refusal. He further reported that visual appearance was a valid planning consideration in this case.

The majority of members indicated their support for the view that the construction of the access track would have a detrimental impact on the character and appearance of this rural area and felt that the application should be refused.

RESOLVED: that planning application no. 08/05025/FUL be refused because the construction of the access track would have a detrimental impact on the character and appearance of this rural area.

(6 in favour, 3 against, 3 abstentions)

09/00023/FUL (pages 18-27) – The demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping (GR 338356/124790), land rear of Westfield House, Westfield Road, Curry Rivel – South Somerset Homes

Cllr. Roy Mills, having declared his personal and prejudicial interest in this application, left the meeting during its consideration and determination.

The Development Control Team Leader reported that since the agenda report had been written, some additional issues had been raised that needed to be clarified with the Highway Authority, particularly with regard to the safety audit. He recommended that the application be deferred to enable that clarification to be sought.

RESOLVED: that consideration of planning application no. 09/00023/FUL be deferred to enable clarification to be sought from the Highway Authority, particularly in respect of issues raised regarding the safety audit.

(Resolution passed without dissent)

*(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)*

59. Exclusion of the Press and Public (Agenda item 14)

RESOLVED: that the following item be considered in closed session by virtue of paragraph 6 of Schedule 12A to the Local Government Act 1972, i.e. information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment, as it is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

60. The Unauthorised Use of Land for the Siting of a Motor Home and Trailer for the Purpose of Residential Accommodation on Land adjacent to A303 Highway, Tintinhull Forts Interchange – Ref: EN08/00458/USE (Confidential Agenda item 15)

Cllrs. Roy Mills and Philip Horsington, having declared their personal and prejudicial interests in this item, left the meeting during its consideration and determination.

The Senior Enforcement Planner summarised the confidential agenda report, which set out the background and history of this case regarding a breach of planning control.

He also updated members regarding the latest position with this planning enforcement case and asked members to consider the expediency of pursuing the already authorised prosecution action for this breach of planning control.

The Committee in considering the action to be taken also had regard to the comments of the Senior Legal Executive.

RESOLVED: (1) that the Council's Solicitor be authorised to proceed with prosecution action in the Magistrates' Court for non-compliance with the requirements of the issued enforcement notices against the owner of the land;

(9 in favour, 2 against)

(2) that the Council's Solicitor be authorised to discontinue the prosecution against the occupier of the land but a formal caution be issued in respect of the non-compliance with the enforcement notices.

(11 in favour, 0 against)

(Roger Wotton, Senior Enforcement Planner – (01935) 462568)
(roger.wotton@southsomerset.gov.uk)

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Chairman