

Meeting JAN 04M:09/10  
Date 28.10.09

## South Somerset District Council and Somerset County Council

**Draft Minutes** of a meeting of the **Joint Area Committee - North** held in the Edgar Hall, Somerton on **Wednesday 28 October 2009**.

(2.00pm – 5.50 pm)

### Present:

**Members:** Patrick Palmer (Chairman)

John Bailey	Anne Larpent	Sylvia Seal
Jill Beale	Philip Horsington	Sue Steele
Ann Campbell	Derek Nelson	Derek Yeomans
Tony Canvin	Paull Robathan	Jimmy Zouche
Rupert Cox	Jo Roundell Greene	

### Also Present:

Tim Carroll	Leader of the Council, SSDC
Tom Parsley	Portfolio Holder for Environment & Property, SSDC

### Officers:

Les Collett	Community Development Officer (North), SSDC
Kim Sharp	Assistant Highway Services Manager, SCC
Chris Cooper	Streetscene Manager, SSDC
David Norris	Development Control Manager, SSDC
Adrian Noon	Major Applications Co-ordinator, SSDC
Philip Higginbottom	Planning Control Team Leader, SCC
Ian McWilliams	Planning Liaison Officer, SCC
David Shears	District Rights of Way Officer, SSDC
Claire Alers-Hankey	Planning Officer, SSDC
Amy Cater	Solicitor, SSDC
Angela Cox	Democratic Services Manager, 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 23 September 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 Sam Crabb, Keith Ronaldson and Roy Mills.

**48. Declarations of Interest (Agenda item 3)**

There were no declarations of interest.

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**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 25 November 2009 at the Millennium Hall, Seavington.

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**50. Public Question Time (Agenda item 5)**

There were no questions from members of the public.

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**51. Chairman's Announcements (Agenda item 6)**

The Chairman thanked Kim Sharp, Assistant Highway Services Manager, for his work and assistance to the Area North Committee over the last 15 years and wished him well in his forthcoming retirement. Mr Sharp responded by thanking the Committee for their good wishes. He said it had been a pleasure to work with Councillors who had a genuine interest in Highway matters within their area.

The Chairman further thanked those officers and Councillors who had attended the Enforcement Workshop at Long Sutton Golf Club on 22<sup>nd</sup> October. He said it had been an interesting meeting with all aspects of Council enforcement officers in attendance to give advice to Parishes. It was requested that copies of the information booklet, circulated at the meeting be sent to all Members.

The Chairman further announced the resignation of 11 of 15 Somerton Town councillors the previous evening and called on the Leader of the Council to comment on the situation.

The Leader of the Council noted that Somerton Town Council were currently going through a difficult time and that South Somerset District Council would support them in the short term until the election of new Town Councillors could take place.

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**52. Reports from Members (Agenda item 7)**

Councillor Jo Roundell Greene advised that she had attended the degree award ceremonies at the University College Yeovil the previous week, where Councillor Rupert Cox had been made a Fellow of the University College. She said he had delivered an inspiring speech to the students and Members joined her in warmly congratulating Councillor Cox on his award.

Councillor Jo Roundell Greene further reported that she had attended a meeting of the Somerset Building Preservation Trust and was pleased to report their financial stability and the amount of work ongoing, which included keeping an overview of the restoration work at the Ropewalk in West Coker.

Councillor Sue Steele reported the success of a cake festival held by Curry Mallet Post office over 18<sup>th</sup> and 19<sup>th</sup> October, including a tea dance which had attracted people from a wide area.

Councillor Paull Robathan was pleased to announce that the Police Community Office in South Petherton had now secured funding to enable it to continue for a further 3 years.

Councillor Robathan further reported that he had attended the launch of Home Truths 2009 at the House of Commons in London, which highlighted how the recession had increased the need for housing across the country.

Councillor Ann Campbell reported that the Somerset Play Forum had announced their focus for the forthcoming year would be the inclusion of all children, both able and disabled. A conference would be held to which all interested parties would be invited.

It was noted that Parish Councils had received letters from British Telecom (BT), inviting them to adopt their local telephone boxes for the sum of £1.00. Members felt that this was a backward step as BT would remove the telephone apparatus and then leave the Parish Councils responsible for the boxes.

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### 53. Area North Half Yearly Report from the Highway Authority (Agenda item 8)

The Assistant Highway Services Manager presented the report and advised that works to footways, in Curry Rivel, listed as being complete in the report, would now be completed the following week.

In response to questions from Members, the Assistant Highway Services Manager confirmed that:-

- Hedge trimming work to red-route roads had been particularly extensive that year to expose previously overgrown road signs.
- He was not yet aware of any significant change in Highway maintenance policy for the mending of pot-holes in roads following the announcement by the Leader of Somerset County Council that this would be an area of priority.
- Work to install gullies in Queen Street, Tintinhull fell under the classification of 'minor works' and as such did not form part of the report, however, the work was scheduled into the works programme.
- WS Atkins had recently been awarded the Highway maintenance contract by SCC, however, details of the contract were not yet known.

Members unanimously thanked the Assistant Highway Services Manager and wished him well in his forthcoming retirement.

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

*Kim Sharp, Assistant Highway Service Manager  
kpsharp@somerset.gov.uk or (0845) 345 9155*

#### 54. Performance of the Streetscene Service (Agenda item 9) (Executive Decision) (Excepted Business)

The Streetscene Manager presented his report to Members, highlighting the main points as:-

- The improved streetscene cleaning National Indicator performance figures
- The 100% performance results in the successful removal of abandoned vehicles
- The ongoing winter maintenance programme on ditches and watercourses
- The successful staff training programme
- New links with PCSO's and joint patrols with the PDSA and Environment Agency

In response to questions from members, the Streetscene Manager advised that:

- He currently had no additional funding for new Parish Lengthsman schemes and if he received a request for funding a new scheme then he would make a request to Council for funding.
- Two staff members on extended sick-leave had impacted on the delivery of the service.
- He was not unduly concerned at the 19% fail in the local area quality inspections recorded in March in certain parishes as this was an accurate reflection and proved the inspections were impartially carried out by staff. It was noted that the overall performance on local area inspections had been excellent.
- The assessment time for the establishment new litter bins was approximately two months.

Members were content to endorse the allocation of £10,000 towards an enhanced streetscene service within Area North with the condition that a costed work programme be completed within one month by the Streetscene Manager and all enhancement works be completed by 1<sup>st</sup> April 2010.

The Chairman thanked the Streetscene Manager for his report and presentation.

- RESOLVED:**
1. That the report be noted.
  2. That an allocation of £10,000 be made from the 2009/10 service enhancement programme towards an enhanced streetscene services within Area North, the actual allocations to be agreed in consultation with Ward Members and Town and Parish Councils.
  3. That a costed programme of work be completed by the Streetscene Manager within one month, and, all enhancement works to be completed by 1<sup>st</sup> April 2010.

**Reason:** To enhance the streetscene service within Area North.

*(Voting: Unanimous in favour)*

Chris Cooper, Streetscene Manager  
Chris.cooper@southsomerset.gov.uk or (01935) 462840

## 55. Accommodation for Gypsies and Travellers in Area North – update report (Agenda item 10)

The Community Development Officer (North) provided Members with a brief history of the travelling community and the problems they now faced in a modern, mechanised world. He advised that a working management group had been established to allow the site manager for the two gypsy sites at Ilton and Tintinhull a reporting base, to which the police also attended and he reminded Members of the project to provide Park Homes for the gypsy families at Tintinhull and Ilton which was due to start in the new year.

The Leader of the Council advised that 3 village meetings had been held in Lopen, Merriott and Hinton St George to discuss gypsy and travellers issues with local people and planning officers. He said that until the number of gypsy and traveller pitches listed in Corporate Aim 9, (10 permanent and 10 temporary) were provided, SSDC would continue to be vulnerable to unauthorised sites.

During discussion, Members felt that good management of gypsy sites was the key to their successful operation. Concern was also expressed at any maintenance issues which may arise once Park Homes were installed at the Tintinhull and Ilton sites and the possible financial cost to SSDC.

In response to questions from Members, the Community Development Officer (North) advised that:-

- The gypsy site at Pitney Hill was now in SSDC ownership and Housing Officers were looking at appropriate letting and tenancy arrangements. The site was licensed for 3 pitches.
- A structure was now in place to inform Ward Members of any gypsy or traveller related issues in their area.
- Provision had been made for the disposal of any unwanted caravans resulting from the installation of Park Homes at the Ilton and Tintinhull gypsy sites.
- Suggestion had been made to the management group that the tenants of the Park Homes should be responsible for their upkeep and general good condition.

The Leader agreed to provide feedback to the Committee on the outcomes from the 3 village meetings held in Lopen, Merriott and Hinton St George and also the number of pitches to be provided by neighbouring authorities as a comparison to the 10 permanent and 10 temporary sites to be provided by SSDC.

- RESOLVED:**
1. That the report be NOTED
  2. That the progress of the Park Homes project for Chubbards Cross, Ilton and Marsh Lane, Tintinhull be reported quarterly to the Area Committee through the finance and Area Development Plan reports.

*Charlotte Jones, Area Development Manager (North)*  
*Charlotte.jones@southsomerset.gov.uk or (01458) 257401*

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## 56. Joint Area Committees – update report (Agenda item 11)

The leader of the Council presented the report to Members. He advised that the full review information and report, which Members had contributed their experience and thoughts to, would be presented to the Committee in November 2009. He expressed

regret that SCC had taken the decision to withdraw from the Joint Area Committee system, however, he said there was merit in asking each of the Joint Committee members how they saw the Committees going forward in future. He noted that a report would be put to the full SCC Council on 11<sup>th</sup> November, recommending withdrawal from 10<sup>th</sup> December, which would tie in with the SSDC full Council date so that all constitutional changes could occur simultaneously.

Members were content to note the report.

**RESOLVED:** That the report be NOTED

*Angela Cox, Democratic Services Manager  
Angela.cox@southsomerset.gov.uk or (01935) 462148*

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### **57. Joint Area North Forward Plan (Agenda item 12)**

Members requested that the six monthly updates from the Highway Authority continue, even though SCC were proposing to withdraw from the Joint Area Committee system.

It was requested that the Property Asset Register be presented to the Committee for them to review the properties listed within Area North and discuss their future.

**RESOLVED:** That the report be NOTED

*Becky Sanders, Committee Administrator  
Becky.sanders@southsomerset.gov.uk or (01458) 257437*

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### **58. Planning Appeals (agenda item 13)**

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

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

*Simon Gale, Assistant Director (Economy) - (01935) 462071  
simon.gale@southsomerset.gov.uk*

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### **59. Planning Applications (Agenda item 14)**

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).

**09/03391/R3C The erection of a single storey extension to the existing school building for use as a community room, on land at High Ham Primary School, High Ham, Langport TA10 9BY. Applicant: Somerset County Council.**

The planning officer advised members that the application was for a single story extension to the existing school building to provide a school room during school hours and to be available for community use in the evenings. He said that the Head Teacher had agreed to set up a working group with the Parish Council and local residents to discuss parking and noise mitigating measures resulting from the extension, however, it was not anticipated that staff or pupil numbers would increase. An acoustics engineers at Somerset County Council recommended a review of noise levels after 6 months and he proposed to add an additional condition to this effect.

The Ward Member, Councillor Rupert Cox, noted that the Parish Council had withdrawn their objection to the application on the proviso that a traffic management plan be produced prior to the use of the extension and he asked that this be added to the conditions of approval.

In response to questions from Members the Planning Control Team Leader confirmed that:-

- The maximum capacity of the room would be 16 people
- Evening use of the room was anticipated to be school governors meetings
- Additional parking at the school would be available in the evenings

Members were content to approve the application with an additional condition that a traffic management plan be produced and implemented prior to the extension being brought into use and a review of noise levels both be carried out within 6 months time.

**RESOLVED:** That application reference 09/03391/R3C be approved subject to the imposition of the planning conditions as set out in the Agenda report and with two additional conditions:

1. that a traffic management plan be produced and implemented prior to the extension being brought into use and that it be reviewed in 6 months time.
2. That the noise levels emanating from the extension be monitored and reviewed 6 months after completion.

*(Voting Unanimous)*

**09/02917/FUL Erection of 52 no. dwellings, B1 employment floorspace and extension to hotel, alterations to boundary walls and old water tower on land at Old Kelways, Somerton Road, Langport. Applicant: CG Fry & Son Ltd.**

The Major Applications Co-ordinator advised that the application was for a revised scheme to an existing permission. He updated Members with the following points:-

- Although building work was underway at the site, no works had been carried out which were not in accordance with the previously approved scheme.
- The majority of the affordable housing units were located on the western site of the site with two on the eastern part. Previously they had been indicated as in 2 more evenly numbered clusters. The clusters now proposed were less than the HCA recommended maximum of 25.



- Condition 7 of approval required amending to refer to a further addendum to the agricultural report to cover remediation measures in relation to works to the wall adjacent to the protected tree to the west side of the frontage.
- The Environmental Protection Unit had proposed additional conditions regarding the testing of topsoil to assess for any land contamination.
- The Environment Agency had also requested a condition to impose water efficiency measures, however, as this had not been part of the original conditions of approval, he proposed this be an informative to the permission.
- Condition 15 of approval required amending to reflect the amended boundary wall details and to require they be complete by 31 December 2009.
- SSDC had been asked to take ownership of a tree on the south west boundary of the site and he suggested the site owners be responsible for any resulting liabilities arising for 15 years. This could be addressed within the supplementary S.106 Agreement.
- If Members felt it appropriate, the hours of operation of the proposed retail unit could be restricted by condition.

Mr D Selway, a local resident, advised that the bungalows in Maple Road were some 5 feet lower than the houses currently being built at the Old Kelways site and residents felt that their properties had decreased in value because of the overlooking aspect and their close proximity. He said they were also concerned that their road may be used to access an area of land to the north which was also allocated for housing.

The Major Applications Co-ordinator responded, saying that he understood a ransom strip was in third party ownership which would preclude any access to that site from Maple Road. He further noted that a close boarded fence would be erected to the north west boundary to prevent access between the two sites.

Mr B Pitcher asked if the western boundary was to be fenced entirely and the Major Applications Co-ordinator confirmed that the existing hedge would be maintained to the rear of the bungalows in Maple Road and a close boarded fence would be erected only to the north west boundary.

The Ward Member, Councillor Rupert Cox, asked that the pedestrian access onto Wearne Lane be closed to all motorised vehicles, including motor bikes. He also asked that the proposed close boarded fence to the north west boundary be made a condition of approval and that the hours of operation of the retail unit be limited to between 7.00am and 7.00pm to limit disturbance to neighbouring properties.

The Major applications officer advised that, as currently submitted, he could not guarantee that a motorcycle could not pass through the pedestrian gap at Wearne Lane, however Condition 16 could be amended to require the submission of details of the barrier to ensure that this point was addressed. It was also suggested that any time limiting condition to the retail unit cover deliveries as well.

The District Rights of Way Officer confirmed that the footpath to the west of the site was a Somerset County Council Definitive public right of way and therefore the surface was already vested in the Highway Authority who were responsible for the maintenance. It was therefore not possible to 'adopt' the route and there was no need for a further Section 106 legal agreement for such adoption.

Members briefly discussed the application and were in agreement with the Ward Member that planning permission be granted subject to the amended and new conditions proposed.



**RESOLVED:** That application reference 09/02917/FUL be approved subject to the imposition of the planning conditions as set out in the Agenda report and additional conditions to include:

- Amendment to Condition 7 to refer to a further addendum to the abricultural report to cover remediation measures in relation to works to the wall adjacent to the protected tree to the west side of the frontage
- Amendment to Condition 15 to reflect the amended boundary wall details and to require they be complete by 31 December 2009
- Additional condition to limit the hours of operation and deliveries of the retail unit to 7.00am to 7.00pm
- Additional conditions as recommended by the Environmental Protection Unit to cover the testing of topsoil in the gardens for any contaminations
- that the supplementary S.106 agreement cover the adoption of the tree to the south west boundary of the site and its maintenance

*(Voting: unanimous in favour)*

**09/02935/LBC Alterations to boundary walls and old water tower on land at Old Kelways, Somerton Road, Langport. Applicant: CG Fry & Son Ltd.**

The Major Applications Co-ordinator advised that the application was the associated listed building application to the one previously discussed and covered works to the listed boundary wall and water tower.

Members were content to grant approval subject to the conditions detailed in the officer's report, amended as necessary to reflect the resolution in relation to 09/02917/FUL

**RESOLVED:** That application reference 09/02935/LBC be approved subject to the imposition of the planning conditions as set out in the Agenda report amended as necessary to reflect the resolution in relation to 09/02917/FUL.

*(Voting: unanimous in favour)*

**09/02781/FUL The erection of a building comprising two stables, a tack room and a hay store (revised application) on land OS 9213, Queen Street, Tintinhull, Yeovil Somerset. Applicant: Mr A Lavers.**

The Planning Officer advised that information had come to light that a footpath crossed the application site, which had not been previously advertised as such and she recommended deferring the application to take proper consultation and advertising of this.

Members were content to defer the application as advised.

**RESOLVED:** That application reference 09/02781/FUL be deferred for further advertisement and consultation arising from the footpath crossing the site.

*(Voting: unanimous in favour)*

*Simon Gale, Assistant Director (Economy) - 01935 462071  
simon.gale@southsomerset.gov.uk*

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**60. Confidential Items**

**RESOLVED:** that the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 1: "Information relating to any individual" and Paragraph 5: "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

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**61. Verbal briefing on Gawbridge – Confidential and Legally Privileged (Agenda item 15)**

The Solicitor provided Members with a verbal update on the occupation of land at Gawbridge.

*Amy Cater, Solicitor  
Amy.cater@southsomerset.gov.uk*

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Chairman