

Meeting JAN 05M:09/10  
Date 25.11.09

## South Somerset District Council and Somerset County Council

**Minutes** of a meeting of the **Joint Area Committee - North** held in the Millennium Hall, Seavington on **Wednesday 25 November 2009**.

(2.00pm – 7.40pm)

**Present:**

**Members:** Patrick Palmer (Chairman)

John Bailey	Anne Larpent	Keith Ronaldson
Ann Campbell	Roy Mills	Sylvia Seal
Tony Canvin	Derek Nelson	Sue Steele
Rupert Cox	Paull Robathan	Derek Yeomans
Philip Horsington	Jo Roundell Greene	

**Officers:**

Charlotte Jones	Area Development Manager (North), SSDC
Martin Woods	Assistant Director (Communities), SSDC
Les Collett	Community Development Officer (North), SSDC
Carol Habberfield	Somerset FAB Manager, SCC
Fiona Johnson	Senior Housing Support Officer, SSDC
Adrian Noon	Major Applications Co-ordinator, SSDC
Lee Walton	Planning Officer, SSDC
Dominic Heath-Coleman	Planning Assistant, SSDC
Ian McWilliams	Planning Liaison Officer, SCC
David Shears	District Rights of Way Officer, SSDC
Claire Alers-Hankey	Planning Officer, SSDC
Angela Watson	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.*

### 62. Minutes (Agenda item 1)

The minutes of the meeting held on the 28 October 2009, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

### 63. Apologies for absence (Agenda item 2)

Apologies for absence were received from Councillors Jill Beale, Sam Crabb and Jimmy Zouche.

#### **64. Declarations of Interest (Agenda item 3)**

Councillor Rupert Cox declared a personal and prejudicial interest in Agenda Item 11, Area North Community Grants, as a member of Long Sutton Cricket Club, the grant applicants.

He confirmed that he would address the Committee prior to the discussion and would then leave the room during consideration of this item.

Parish representative Philip Horsington declared a personal interest in Agenda Item 15, Planning Applications, relating to application 09/02781/FUL - the erection of a building comprising two stables, a tack room and a hay store on land at Queen Street, Tintinhull, as a member of Tintinhull Parish Council. It was noted that as Parish representative, Councillor Horsington held no voting rights relating to the determination of planning applications.

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#### **65. 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 16 December 2009 at the Village Hall, Long Sutton. (It was subsequently noted that this meeting was cancelled and the next meeting would be held on 27<sup>th</sup> January 2010 at the Village Hall, Norton-sub-Hamdon)

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#### **66. Public Question Time (Agenda item 5)**

There were no questions from members of the public.

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#### **67. Chairman's Announcements (Agenda item 6)**

The Chairman welcomed Mike Fear, Assistant Highway Manager, to the Committee as the replacement Highway contact officer for Kim Sharp who retired the previous month.

The Chairman advised that he had recently attended:-

- the funeral of Barbara Sweet, SSDC Housing Officer, the previous week and he paid tribute to Barbara for her 27 year service to the District Council within the housing service.
  - the laying of the foundation stone at the new South Petherton Hospital.
  - the celebration of the refurbishment of the David Hall in South Petherton.
  - the official opening of the new sports pavilion in Stoke-sub-Hamdon.
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#### **68. Reports from Members (Agenda item 7)**

Councillor Sylvia Seal reported that the Yeovil Tourist Information Centre had recently been awarded a silver medal for 3<sup>rd</sup> consecutive year in the Tourism Information Service category of the South West Tourism Excellence Awards for 2009/10.

Councillor Rupert Cox thanked the Chairman, Councillor Palmer, for his assistance in chairing a meeting within his Ward bringing all parties together to help towards resolving an ongoing planning issue.

Councillor Paull Robathan advised that the South Petherton Community Information Centre would be opening the following week with the assistance of many local volunteers to provide staff cover.

Councillor Sue Steele reported that the Fivehead Multi-Use Games Area (MUGA) had now been completed and she thanked the Committee for their support in completing the project.

Councillor Sylvia Seal asked that the partnership working between SSDC and the ex-Somerton Town Council be recognised. She said they had successfully worked together to complete many projects within the town and should be commended.

## 69. Report on work of Somerset Financial and Benefits Team (FAB) (Agenda item 8)

The Somerset FAB Manager advised that the Financial and Benefits (FAB) Team were jointly funded by Somerset County Council and the Department of Work and Pensions. She noted that:-

- they had been operating since 2002 and had been the first such joint working team in the country.
- The service had expanded and now had 74 partner organisations (including voluntary, charities, and Housing Benefit departments) which complemented the service provided.
- They operated from offices in Frome, Bridgwater, Taunton and Yeovil.
- Their main purpose was to help to maximise the benefit income of anyone over retirement age or in receipt of a care package or within a vulnerable group.
- Over 12,000 home visits had been conducted the previous year.
- Referrals for assistance were mainly received from Somerset Direct, doctors, community nurses, partner organisations and fuel poverty organisations.
- 31% of clients were referred to a partner organisation for further assistance i.e. the Age Concern chiropody service, Cruise, or the Community Garden service.
- In the previous financial year, the service had obtained an additional £10.3 million of additional benefit for people within Somerset.

In response to questions from Members, the Somerset FAB Manager confirmed that:-

- Statistical data showed that Welfare benefit take up was lowest in rural areas and therefore there was a correlation between this and accessibility to services.
- Contacts were now being made through the Carers register to inform people that Disability Living Allowance (DLA) could now be claimed for children.
- The service had started a Welfare Benefit Surgery in Yeovil originally, however, it was now felt more beneficial to hold roaming surgeries in places where elderly people met socially or naturally gathered, for example, WI meetings, stroke clinics and GP surgeries.

The Chairman thanked the Somerset FAB Manager for attending and providing an informative report.

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

*Carol Habberfield, Somerset FAB Manager*  
*chabberfield@somerset.gov.uk*

## 70. Report on Welfare Benefit Work in South Somerset (Agenda item 9)

The Senior Housing Support Officer presented her report to Members, highlighting the main points as:-

- The 20% increase in the number of welfare benefit cases in 2008/09, coupled with the economic downturn, had resulted in an extra Welfare Benefit Adviser post appointed for a period of 2 years.
- The team worked closely with Housing Officers and had helped to save 29 tenancies and maintain a further 72 tenancies by early intervention, providing advice and assistance.
- The cost to SSDC of dealing with a homeless family application was approximately £5,000 and therefore the saving and maintaining tenancies was a very worthwhile cost saving service to the Council.
- The multiple added value of the work of the team in attracting additional welfare benefits for clients, the wider costs and effect of their work and the saving of tenancies equated to the maintenance of 36 jobs within South Somerset.

In response to questions from members, the Senior Housing Support Officer advised that:

- The additional welfare benefits attracted to clients living within Areas North and East was relatively low compared to the other areas, however, it was hoped to hold Welfare Benefit surgeries within these areas soon to address this.

The Chairman thanked the Senior Housing Support Officer for her report and presentation for the work of her team.

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

*Fiona Johnson, Senior Housing Support Officer  
Fiona.johnson@southsomerset.gov.uk or (01935) 462737*

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## 71. Area North Service Enhancement Programme 2008-09 and 2009-10 (Executive Decision) (Excepted Business) (Agenda item 10)

The Area Development Manager (North) noted that in addition to the information contained in the report, relating to recent work in support of the Community Safety and Rights of Way Service Enhancements, she had circulated a costed programme of potential work in Area North, under the Streetscene Service Enhancement as requested. She asked that ward members contact the Streetscene Services Manager (Chris Cooper) with any queries.

The Vice-Chairman reported that in the preparation of the report, she had chaired an informal meeting of housing and welfare related services including SSDC, SCC and CAB, and that this had highlighted the need to better address the challenge of targeting the most vulnerable residents in Area North, often living in remote rural areas.

The Area Development Manager (North) advised that the proposed service enhancement funding towards increased access to housing welfare related services would be co-ordinated by the Community Regeneration Officer, working closely with relevant partners and agencies. The task was to develop a programme of events and promotional activities across Area North designed to encourage the take up of housing, financial, community safety and welfare benefits. This would aim to complement and support the proposed increase in Welfare Benefits take-up work from the Housing and Welfare Service.

During discussion, Members felt that good promotion was key to the success of the project. It was noted that promotion at existing clubs and local interest groups should be encouraged and also within local Parish Magazines. Members were requested to forward the contact details for their Parish Magazines to the Community Regeneration Officer.

Members were unanimous in their support for the project.

- RESOLVED:**
1. That the previous allocations of service enhancement funding towards community safety and access improvements be NOTED.
  2. That up to £10,000 be allocated towards a programme to raise the awareness of and access to financial and welfare services within Area North from the Area North Service Enhancement Budget.

**Reason:** To support the work of the Welfare Benefit unit to provide additional assistance and awareness of their service within Area North.

*(Voting: unanimous in favour)*

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

**72. Area North Community Grants – Refurbishment of training facilities at Long Sutton Cricket Club (Executive Decision) (Excepted Business) (Agenda item 11)**

The Community Development Officer presented the report to Members. He advised that the application was supported in principle by the Parish Council and local fundraising had contributed £1,000 to the £7,450 total. The club had a strong junior membership and SSDC now proposed an additional condition to provide for future replacement and maintenance of the proposed new facilities.

The Ward Member, Councillor Rupert Cox, then spoke in support of the application as Welfare and Youth Co-ordinator for the Long Sutton Cricket Club. He advised that the club had over 60 members and was part of the SSDC Cricket Development Group. The existing matting surface was over 20 years old and in need of replacement and the safety nets were needed for protection during practice. He asked for Members support for the grant application.

Having earlier declared a personal and prejudicial interest, Councillor Cox then left the room and took no part in the debate or voting on this item.

In discussion, Members highlighted the positive contribution to local activities for young people made by Long Sutton Cricket Club, and the value placed on voluntary sports clubs by SSDC. Members were unanimous in their support for the grant.

**RESOLVED:** That an award of £1,750 be made from the Area North Community Grants Budget to Long Sutton Cricket Club towards the purchase and installation of all-weather matting and mobile safety nets, subject to standard grant terms and conditions for SSDC Community and Leisure Grants and the following special condition:

1. The applicant must make provision for future maintenance and replacement of the facilities. SSDC recommends the applicant set up a sinking fund to achieve this condition.

**Reason:** To support the provision of improved facilities at Long Sutton Cricket Club.

*(Voting: unanimous in favour)*

*Les Collett, Community Development Officer (North)  
Leslie.collett@southsomerset.gov.uk or (01458) 257427*

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### **73. Area North Community Grants – Additional Allotments and associated work at South Petherton (Executive Decision) (Excepted Business) (Agenda item 12)**

The Community Development Officer advised that the Parish Council had recently made more land available for new allotments due to public demand and the improvements to the car parking area would not require planning permission.

Ward Member, Councillor Paull Robathan spoke in support of the application. He said that there were approximately 50 allotments in South Petherton and the Parish Council were responding to the growing demand.

Members were unanimous in their support for the grant.

**RESOLVED:** That an award of £2,267 be made from the Area North Community Grants Budget to South Petherton Parish Council towards fencing and improved informal car parking at the allotment fields, South Petherton.

**Reason:** To support improvements to the South Petherton allotment fields.

*(Voting: unanimous in favour)*

*Les Collett, Community Development Officer (North)  
Leslie.collett@southsomerset.gov.uk or (01458) 257427*

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### **74. Joint Area Committees (Agenda item 13)**

The Assistant Director (Communities) reminded Members that Joint Area Committees had commenced in January 2009 and at that time, it had been agreed to review their progress in 6 months time. That review had taken place and despite the County Council's subsequent decision to withdraw from the joint arrangements, for financial reasons, the review was still an opportunity to learn. He advised that Somerset County Council had expressed a wish to attend Area Parish meetings to engage with Parish Councillors and they had agreed to hold their planning Regulation Committees in the locality of any large or significant proposed development.

During discussion, Members expressed varying views, including the following points:-

- Do not wish to lose Parish representatives or Highway officers' attendance during discussion of planning applications.
- No reason for Parish representatives to remain.
- Phase 1 had been inhibited due to the lack of delegated powers / resources from SCC to the JACs, which meant the SSDC excepted business was the dominant item, with limited opportunity for SCC Councillors to participate.
- If a Parish Council had a view on an Area Committee agenda item then they should attend and express the view themselves.
- SCC Councillors could still attend Area Committee meetings and speak at them without being members of the Committee.
- The Parish representative's role needs further definition.
- Joint Area Committees did not result in any additional public attendance at the meetings.
- There were specific projects where the County and District needed to work together, for example, the 10:10 Climate Change project.
- District Councillors are elected and the Parish representatives should be likewise.
- Many District Councillors are also Parish Councillors so there is already parish representation at meetings.
- Initial training provided by SSDC officers was excellent and County Councillors had been made very welcome at Joint Area Committees.
- Not sure how Parish representatives disseminate information to other parishes.
- SCC service briefings had proved informative and helped raise awareness of each authority's services.

Members agreed to the following specific resolution to be incorporated into the report to Council on the future of Joint Area Committees.

- RESOLVED:**
1. That the Joint Area Committee Review document and member and officer surveys be NOTED.
  2. That the role of the Parish representatives be discontinued due to a lack of adequate definition of their roles and purpose.
  3. That the Committee ask the following points be included in the report to full Council:-
    - Encourage the continuation of relevant presentations by Somerset County Council officers
    - Request the continued presence of an SCC Highway Liaison Officer during consideration of planning applications
    - Somerset County Councillors be encouraged to attend and participate in future Area Committee meetings

**Reason:** To provide comment on the Joint Area Committee review document.

*(Voting: unanimous in favour)*

*Martin Woods, Assistant Director (Communities)  
Martin.woods@southsomerset.gov.uk or (01935) 462708*

**75. Area North 2009/10 Budget Monitoring report for the period ending 30<sup>th</sup> September 2009 (Executive Decision) (Excepted Business) (Agenda item 14)**

The Area Development Manager (North) provided Members with a short powerpoint presentation detailing the projects nearing completion in the area which had been supported through the Area's Capital Programme and the various projects in hand or underway to provide improved facilities within the area. She advised that £150,000 remained available in the area reserve budget for the following three years.

During discussion, it was noted that although funding was held for the completion of a feasibility study into the Langport to Cartgate cycleway, it was unlikely the project would go ahead in the immediate future.

Members were content to agree the recommendations of the report.

- RESOLVED:**
1. That the current financial position of the Area North Budgets be NOTED.
  2. That the revised schemes and profiling of the Capital Programme for 2009/10 – 2013/14 as detailed in Appendices A and B of the agenda report be agreed.
  3. That the current position of the Area North Community Grants Budget, as detailed in Appendix C of the agenda report, be NOTED.

**Reason:** To note the current position of the Area North Budgets and agree the revised schemes and profiling of the Capital Programme for 2009/10 to 2013/14.

*(Voting: unanimous in favour)*

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

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**76. Joint Area North Forward Plan (Agenda item 15)**

The Area Development Manager advised that a report on affordable housing would be presented to the January meeting of the Committee.

It was confirmed that the report requested to be added to the Forward Plan the previous month on the Property Asset Register should be presented for a discussion on their future at an area level. The scope and purpose was to allow discussion of the future of assets in Area North, both land and buildings, to help inform the Council's Asset Management Strategy.

**RESOLVED:** That the report be NOTED

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

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**77. Planning Appeals (agenda item 16)**

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



Members were pleased to note that of the 4 planning appeals listed, the two determined by the Committee had been upheld by the Planning Inspector.

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

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

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## 78. Planning Applications (Agenda item 17)

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).

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

The Planning Assistant reminded Members that the application had been deferred from the previous month's Committee for clarification on the line of a footpath crossing the field. Following advice from the SSDC Rights of Way Officer, the footpath crossing the site would have to be legally diverted prior to commencement of the development, however, there was no demonstrable harm in granting planning permission in the meantime. He advised that since writing his report, 3 further letters of objection had been received but no new points were raised within them.

Mr E Wilcock spoke on behalf of the Parish Council. She said they were concerned at the close position of the proposed stables behind No 58 Queen Street, the narrow access and road to the field and the need for the footpath diversion prior to commencement of work. They were also concerned that effluent from the site had not been properly addressed and the storage of hay close to residential dwellings.

Mr I Dobbs, occupier of No 58 Queen Street, spoke of the loss of light to a barn to the rear of his property if the stables were positioned as they were currently proposed. He also referred to the narrow access, the footpath crossing the field and the possible commercial use of the stables in the future.

The Ward Member, Councillor Jo Roundell Green, said the current positioning of the stables immediately behind No 58 was un-neighbourly and the proposed modern design of the building would not sit well next to the traditional stone barn. She also referred to the limited access to the site and the footpath diversion which would be necessary.

The Rights of Way Officer clarified the exact route of the existing footpath for Members and advised that an application to divert it had been received from Mr Lavers. Currently the Ramblers Association and the Highway Authority had raised no objections to the diversion.

In response to questions from Members the Major Applications Co-ordinator confirmed that:-

- If the applicant amended the position of the stables to immediately behind his own property, the correct line footpath would still require diverting.

- The siting of the stables had been agreed by officers following the withdrawal of the previous planning application.

During a brief discussion, Members were in agreement with the Ward Member that the position of the stables would have an adverse impact on neighbouring properties and create nuisance odours. It was proposed and seconded to refuse planning permission for these reasons and on being put to the vote, was carried unanimously.

**RESOLVED:** That application reference 09/02781/FUL be refused planning permission for the following reasons:-

The proposed stables by reason of their close relationship with the adjoining residential properties and resulting odours would have an adverse impact on the residential amenity of the occupiers of the residential properties contrary to policies ST6 (Quality of Development) and EP7 (Potential Odour Generating Developments) of the South Somerset Local Plan (adopted April 2006).

*(Voting Unanimous)*

**07/03402/FUL Conversion of redundant farm buildings into 2 residential units with associated B1 workshop at Pond Farm, Seavington St Michael, Somerset. Applicant: Mr and Mrs B Paull.**

The Planning Officer advised that the key issues of the application were the conversion policies for buildings within a development area and the change of use policies for existing buildings outside a development area. He noted that the majority of the site was outside the development area and that Highway, Engineers and Conservation consultees had raised no objections therefore his recommendation was to approve the application.

Mr C Wills, on behalf of Seavington Parish Council, advised that they did not support any development outside the existing development line for the village. They were also concerned at the limited visibility at the proposed entrance and the movement of any existing drains in the immediate vicinity. He noted that there were bollards in the road near to the proposed entrance which could pose a problem to larger commercial and emergency vehicles entering and exiting the site

Mr P Wyatt, a local resident, advised that there was a 12ft wide, 8ft deep drain at the proposed entrance to the site which was part of the flood alleviation scheme for the village and any changes to it could affect future flooding in the village. He also expressed his opposition to any new entrances being created onto the road until the new A303 bypass had been widened.

Mrs L Holditch spoke of her concern that existing drainage from the site struggled to cope with one property and she questioned if an additional two dwellings would make the problem worse.

Mr J Thomas, Agent for the applicant, stated that there was no proposal to alter the drainage in the vicinity. He emphasised that concerns raised by the Highway Authority and SSDC Conservation Officer had been addressed and he said the proposal would present an attractive and interesting building and employment use. He noted that the site was currently served by a sub-standard access and said the new access would be much improved.

One of the Ward Members, Councillor Keith Ronaldson, spoke of his concerns at part of the development outside the current village development limit, the limited visibility to the west of the proposed access and the possible damage to the existing flood alleviation drains. He felt the application could not be approved with the access in its current proposed position.

The other Ward Member, Councillor Paull Robathan, said the application as presented did not demonstrate good consultation within the community and the application site precluded one building in need of demolition.

The Major Applications Co-ordinator responded, saying it was regrettable that the application was not comprehensive to the whole site but Conservation Officers had raised no objections to this.

In response to questions from Members, the Planning Liaison Officer, SCC, advised that:-

- The proposed access was limited and although it met the 90m visibility splay to the west, it did not to the east of the entrance.
- The existing road bollards would pose a problem for larger vehicles turning into the site.
- Positioning the entrance further to the west would improve the access, however, it may then be too close to the existing access.
- Up to 25 vehicle movements per day would be generated by the proposed development.

During discussion it was noted that existing properties in the vicinity had a right of way over the existing access to the site but using this one access to the whole site would require the moving of the road bollards and it was within 3<sup>rd</sup> party ownership. The Major Applications Co-ordinator responded, saying that Condition 24 of approval was misleading on this point and should be removed if members were minded to approve the application.

During discussion, Members felt the substandard access and visibility, its close proximity to the existing access, speeding traffic and the possible harm to the existing flood alleviation drains were sufficient reasons to refuse the application. It was proposed and seconded to refuse planning permission for these reasons and on being put to the vote, was carried unanimously.

**RESOLVED:** That application reference 09/03402/FUL be refused planning permission for the following reasons:

- Substandard access, due to layout, poor visibility and close proximity to existing access.
- No demonstration that surface water drainage is sufficiently addressed by the existing drainage scheme.

*(Voting: unanimous in favour)*

**07/03404/LBC Conversion of redundant farm buildings into 2 residential units with associated B1 workshop at Pond Farm, Seavington St Michael, Somerset. Applicant: Mr and Mrs B Paull.**

The Major Applications Co-ordinator advised that there was some merit in allowing Listed Building Permission for the application, despite refusing full planning permission, as it

would allow the applicant to restore and make good the existing listed buildings at the site and whilst the full permission could not be implemented.

Members were in agreement to defer the application to allow the applicants to resubmit an acceptable full planning application for the site.

**RESOLVED:** That application reference 09/03404/LBC be deferred to allow the applicants to re-submit an acceptable full planning application for the site.

*(Voting: unanimous in favour)*

**09/02175/FUL Change of use, conversion and redevelopment of farm site to provide farm based holiday accommodation and short stay residential agricultural courses at Perham Farm Wick, Langport, Somerset. Applicant: Mr P Horne.**

The Planning Officer advised that the key issues were the scale of the development, the traffic generated and the suitability of the surrounding single track road network. There were currently no HGV deliveries to the site and she recommended a condition to limit the retail sales from the site if planning permission was granted. The applicants had also submitted a green travel plan and a Section 106 legal agreement would include the payment of a bond by the applicants to SCC Highways so that if predicted target traffic movements were exceeded then the bond money would be used for road improvements in the area.

Mr B Calder, a resident of Wick, advised that there were only 12 properties in the hamlet and the narrow roads to it often flooded. He said there was no evidence of the objections raised by 8 of the local residents being addressed and the current proposal was a significant increase in size from the existing permission at the site. He referred to several planning policies which related to the site and were in his opinion, at odds with the development. He also referred to planning enforcement issues ongoing at the site.

Mrs A Hembrow expressed her concern at the traffic movements per day which the development would pose. She felt the business plan seriously underestimated the real number and the application was vague on detail.

Mrs E Richardson questioned several discrepancies in the business plan relating to the number of people predicted to visit the site and the possible resulting trade this would attract. She also questioned that the reed bed flow from the septic tank could flood the nearby RSPB site. She further pointed to the document expressing concern at the development signed by 15 residents.

Mr M Williams, Agent for the applicant, said the application was a sustainable development with an objective to energise and re-use farm buildings. The applicants wished to live in balance with the land and provide sustainable workshops which would be complementary to the area. The development would be small in scale and conditions would ensure this. He referred to the existing permission for the site and that there were no objections from SCC Highways or the Environment Agency. He felt that there was a misunderstanding of the proposed use by local people as many of their objections did not relate to planning reasons of refusal and there would be no demonstrable harm caused by the development.

The Ward Member, Councillor Derek Nelson, said there was a lot of concern in the small community at the impact of the application. Planning Policy had clear objections to the proposals and the Economic Development Officer and the Agricultural Development Officer had both initially objected. He felt the business plan submitted lacked clarity and

pointed to several weaknesses in the application. He also noted that the previous permission at the site for two workplace homes had been more appropriate and the environmental change which the proposed development would bring to the small hamlet would be huge.

During discussion, Members made the following points:-

- The business plan must justify the scale of development
- Doubts over sewage output – Environment Agency not yet commented
- Objections must relate to real planning issues
- Existing single track roads very narrow and liable to flooding
- Traffic movements from the site are not recorded

The Solicitor cautioned Members to disregard irrelevant considerations raised and the existing planning enforcement action at the site in reaching their decision.

The Ward Member proposed that planning permission be refused on the grounds of lack of demonstration that the level of development could be sustained by the existing highway network, lack of a financially sound business plan and Barn F not suitable for conversion to residential use. Members discussed the reasons for refusal and agreed that the final wording of them be agreed by the Ward Member and Area Chairman, in consultation with planning officers. This proposal was seconded and on being put to the vote, was carried unanimously.

**RESOLVED:** That application reference 09/02175/FUL be refused permission for the following reasons:-

1. It has not been demonstrated that the proposal has been based on a financially sound business plan that would create a development that would benefit economic activity in a rural area. As such the proposal is contrary to Policy ST3 of the South Somerset Local Plan.
2. Barn F is not considered to be capable of conversion to residential accommodation without substantial alteration and redevelopment works. As such the proposal is contrary to Policy EH6 of the South Somerset Local Plan.
3. It is considered that the proposed development by reason of its scale and increased levels of traffic would have a detrimental impact on residential amenity and the visual amenities of the area. As such the proposal is contrary to Policies ST5, ST6, EC3, EH6 and EH7 of the South Somerset Local Plan and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.
4. The approach roads by reason of their substandard width and alignment are considered unsuitable to cater for the likely level of traffic generated as a result of the proposal, which is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy EH6 of the South Somerset Local Plan.

The above reasons subject to final approval by the Ward Member and Area Chairman in consultation with planning officers.

*(Voting: unanimous in favour)*

**09/02775/FUL Installation of new shop front, 2 refrigerated stores, security fencing, 2 lean-tos and replacement of existing plant at 4 St James Street, South Petherton, Somerset. Applicant: Co-operative Group (CWS) Ltd.**

The Planning Officer advised that some of the proposed works had already been completed, including the installation of a new shopfront which was now parallel with the pavement. Previously it had been at an angle, allowing customers to pause before stepping onto the pavement. He said the key issues were the scale of the development on the small site and the delivery lorries parking on the road outside the shop, however, he had been unable to impose a condition ensuring that they unload in the adjacent car park as this was in third party ownership.

Mr R Neave, Chairman of the Parish Council, said their 4 main concerns were the parking of large delivery lorries in the narrowest part of the street, the storage of refuse bins in the Parish Council owned car park, a hamstone wall along the boundary to the car park would be visually better than security fencing and the proposed delivery ramp in the car park no longer formed part of the plans. He pointed out that the Parish Council had offered to give up 6 car parking spaces within the car park to allow safe delivery of goods off the road but this had been rejected.

Mr K Dexter, Highway Representative on the Parish Council, advised that previously, when the Co-operative store was located higher up the street, lorries had unloaded there which was a much wider part of the street. Now they had relocated, lorries were unloading in the narrowest part of the street. He also noted that there were in the region of 44 bus movements per day along the street.

Mrs S Wallis, Mr J Hodgson, Mr R Coe, Mrs Woodruffe-Peacock, Mr R Hargreaves and Mr M Parr all spoke in opposition to the application. Their concerns related to lorries and buses passing at the narrowest part of the street, lack of Highway Authority concerns and the alteration to the shopfront without prior permission.

One of the Ward Members, Councillor Paull Robathan, spoke of his deep concern at the close alignment of the new shopfront to the pavement and the dangers it posed to pedestrians. He also expressed concern at the delivery lorries parking opposite the shop to unload and so blocking the narrowest part of the street. He said the pedestrian accesses on both sides of the road should be kept clear and he questioned the lack of a travel plan to accompany the application. He further noted that two site meetings had been held with Co-operative agents however they had remained non-committal to suggestions that their lorries unload in the car park and had not made any further alternative suggestions following the meetings. He asked that Members refuse the application.

The Planning Liaison Officer, SCC, responded that although there were parking issues in the area, the existing shop had been there for many years accepting deliveries from lorries and although the situation was not good, it was not made any worse by the position of the shop.

The Solicitor advised that if Members felt there was a material difference between how the previous occupiers of the shop operated their deliveries and how the Co-operative were operating then this was justification for deferring the application. She cautioned Members against refusing permission solely on the current highway issues.

Although Members were sympathetic to the Ward Members concerns, it was felt that to defer the application to the January meeting of the committee to seek clarification on

certain points on their application form and to allow time to arrange a meeting with the applicants, the Parish Council and the Ward Members to discuss future deliveries to the shop was the best way forward to resolve the issues. This was proposed and seconded and on being put to the vote, was carried (voting: 8 in favour, 1 against, 0 abstentions).

- RESOLVED:**
1. That application reference 09/02775/FUL be deferred to the January meeting of the Committee to seek additional information from applicant in relation to sections 6, 7 & 11 of application form.
  2. Officers to arrange a meeting with applicants, Parish Council and Ward Members to discuss future deliveries to the shop

*(Voting: 8 in favour, 1 against, 0 abstentions)*

**09/03027/S73 Application to vary condition 3 of planning approval 880932 dated 28/06/88 at Golden Hill Cottage, Water Street, Curry Rivel, Somerset. Applicant: Mrs J L Davies.**

The Planning Officer advised that the applicants wished to allow non-family members to occupy the cottage which would result in fragmentation of the cottage from the main residential building. He advised that his reasons for refusal were the unsuitable approach roads and increased use of existing access which would be prejudicial to highway safety.

Mrs C Haines pointed out that the original permission for the conversion to a residence was precise in that it stated there should be no sub-division and should only be occupied by members of the same household, which she said had been breached on a number of occasions. She pointed out that as the cottage faced North, any activity or nuisance impinged directly upon their property and not on the main house. She said there were no other neighbours in the area and the only other objectors to the proposal were the SCC Highway Authority.

The Ward Member, Councillor Derek Nelson, said the conversion which had taken place over 20 years previously had plenty of parking and turning space and although the access road was narrow, if vehicles proceeded with caution then there should be no problem. He supported granting permission to allow the cottage to be a separate privately rented dwelling although he said it was not suitable for a holiday let business.

The Major Applications Co-ordinator advised that the effect of allowing the property to be occupied by third parties would be the creation of a separate dwelling, no longer ancillary to the main house. He said the property concerned had the appearance and qualities of a dwelling house in terms of parking, curtilage and degree of separation from the main house and if Members were minded to vary the condition as applied for, it would be more preferable to delete it.

However, Members were in agreement with the Ward Member that permission should be granted to allow occupation of the cottage annexe by non-family members as the applicant had not applied to sever the link between the annex and the main house.

The Major Applications Co-ordinator therefore suggested the removal of the words "... and shall be only occupied by persons of the same household." from the existing planning permission 880932 with the retention of all other conditions. Members were broadly in agreement with this and on being put to the vote, the proposal was carried (voting: 8 in favour, 1 against, 0 abstentions).

**RESOLVED:** That application reference 880932 be varied to removed the wording "...and shall only be occupied by persons of the same household". to allow non-family members of the household to occupy the cottage annexe.

*(Voting: 8 in favour, 1 against, 0 abstentions)*

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Chairman