

Meeting AN 02M:09/10
Date 24.02.10

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the Edgar Hall, Somerton on **Wednesday 24 February 2010**.

(2.00pm – 5.45pm)

Present:

Members: Patrick Palmer (Chairman)

Jill Beale	Derek Nelson	Sylvia Seal (from 2.10pm)
Tony Canvin (to 5.30pm)	Paull Robathan	Sue Steele
Rupert Cox	Jo Roundell Greene	Derek Yeomans
Roy Mills	Keith Ronaldson	

Somerset County Councillors

Anne Larpent

Officers:

Charlotte Jones	Area Development Manager (North)
Les Collett	Community Development Officer (North)
Teresa Oulds	Community Regeneration Officer (North)
Phillip Poulton	Tree Officer
David Norris	Development Manager
Andrew Gunn	Principal Planner
Claire Alers-Hankey	Planning Officer
Amy Cater	Solicitor
Rachel Bailey	Children's Centres Manager (SCC)
Karen Cooper	Action for Children Children's Centre Manager (SCC)
Becky Sanders	Committee Administrator

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

19. Minutes (Agenda item 1)

The minutes of the meeting held on the 27 January 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman

20. Apologies for absence (Agenda item 2)

Apologies for absence were received from Councillor Ann Campbell.

21. **Declarations of interest (Agenda item 3)**

Councillor Derek Nelson commented that he was on the Parochial Church Council for Drayton and possibly had a personal interest in agenda item 9. Councillor Derek Yeomans wished it to be noted that he had awarded the School Room at East Lambrook funding from his Somerset County Councillor discretionary budget but did not consider that he had any interests to declare.

Councillor Tony Canvin declared an interest in agenda item 18, Planning Applications, relating to application 09/03849/FUL – the erection of a building for B1, B2 and B8 uses at Lopen Head Nursery, Lopen Head, South Petherton as he had been a works contractor on part of the site. He confirmed that he would leave the room for that item.

22. **Date of Next Meeting (Agenda item 4)**

The Chairman reminded members that the next meeting of the Area North Committee would be held on Wednesday 24 March 2010 at the Edgar Hall, Somerton.

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

There were no questions from members of the public.

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

The Chairman informed the Committee that:

- An Area North Parish Workshop (Area Forum) had been arranged for 10 March 2010 at Norton Sub Hamdon Village Hall.
 - He had recently attended the official opening of the All Saints Hall in Stoke Sub Hamdon following the refurbishment, and was pleased that Area North had financially supported the project.
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25. **Reports from Members (Agenda item 7)**

Councillor Paull Robathan commented that on 17 February 2010 the High Court had ruled that gates erected across a footpath at Barcroft Hall in South Petherton were unlawful and had to be removed. The landmark ruling marked the end of a six-year process and showed that the entire width of a public highway must be available for public use.

26. **Children's Centres – More Than Just A Building (Agenda item 8)**

The Levels Children's Centre Manager and the Action for Children Children's Centre Manager introduced their report and thanked the committee for the opportunity to give an overview of their work. It was noted that Somerset County Council managed Children's Centres and their outreach services. They were part of a national programme and since January 2010 centres were now a statutory requirement. Some examples of the work they do was highlighted including:

- Birth and ante-natal classes with health workers
- Baby clinics

- Family support and advice – individually and family groups
- Access to appointments with speech therapists and physiotherapists
- Healthy living support
- Access to childcare
- Work with specific target groups such as dads and young families

The managers explained that the centres were not large teams of people but bases that pooled resources and services for children. Groups in Stoke Sub Hamdon and Tintinhull would not have developed without partnership working. It was noted that pre-schools were thriving by working together and they included children from all sectors of the community. At outreach locations such as Ilton, play days were organised in partnership with the pre-school, primary school and SSDC. These had been very successful and the centres were keen to work with any community to promote all aspects of childcare across the whole of South Somerset.

The Chairman commented that he was pleased that the centres were working with the SSDC Community Health and Leisure team, and enquired if there was anything that the Area North Committee could do to support the work of the Children's Centres. In response the managers of the Children's Centres commented that councillors could be ambassadors and promote access to the centres. The key message to get across was that people could access any centre regardless of where they lived. It was noted that each centre had a steering group and any councillor was welcome to become involved.

In response to questions it was noted that most of the services provided by the centres are free of charge, although there was a cost for childcare. It was also explained that funding for the centres was fixed for the next year and that strong partnership arrangements ensured sustainability.

At the end of the discussion, Division Member for South Petherton, Councillor Anne Larpent, drew councillors attention to the Somerset Play Forum's Somerset Play Conference, which would take place at Taunton Racecourse on 28 September 2010.

27. Refurbishment of Roof, the School Room, East Lambrook (Executive Decision) (Agenda item 9)

The Community Development Officer introduced the item and explained that he had no updates to add to the agenda report. He explained that although the School Room was a small community building it was the hub of the community and hosted a variety of events. Ward and Division Member, Derek Yeomans, confirmed that the building was a hugely important facility for the residents of East Lambrook and that some good events were hosted there. He also commented that he had committed £500 from the Somerset County Council's (SCC) Members Community Budget towards the project. Councillors were happy to approve the application.

RESOLVED: That a grant of £2010 be awarded to the St James' Parochial Church Council, towards the refurbishment of the roof of the School Room, East Lambrook, allocated from the Area North Community Grants budget 2009-10 subject to the SSDC standard conditions for community grants and the following special condition:

a) The applicant agrees to seek the prior written approval of SSDC should the buildings be sold or decommissioned in the future. SSDC reserves the right to seek repayment of all or part of the grant awarded.

Reason: To determine an application for financial support submitted by St James' Parochial Church Council.

(Voting: Unanimous in favour)

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

28. Road Safety Lights at Hambridge (Executive Decision) (Agenda item 10)

The Community Development Officer (North) introduced the report, and clarified with photographs the stretch of road where the lights would be situated and an example of a Wig-Wag light. It was noted that Hambridge also had an active Community Speedwatch Group. Councillors were briefly reminded that Hambridge had successfully applied for grant funding from Area North in 2007 for a streetlight, but as costs had escalated the project had been withdrawn.

Division Member, Councillor Derek Nelson, commented that unfortunately Somerset County Council did not have enough funding to support all road safety schemes, and he had already financially supported a Speed Indicator Device for Hambridge from the SCC Members Community Budget.

In response to questions the Community Development Officer (North) explained that the lights would be solar powered and likely only to be switched on for certain times of day, e.g. when the pupils were going to and from school. Concern was also raised whether the Wig-Wag lights had yellow flashing lights and would startle horses. The Chairman responded that in other parishes there were signs warning horse riders of the flashing sign ahead. Councillors remarked that SSDC was not the Highways Authority or Local Education Authority and were disappointed that SCC were not financially supporting the project.

The committee were generally concerned about ongoing costs to the parish, although it was acknowledged that after the warranty period the Highways Authority would adopt the sign. After a lively discussion about county funding and the previous grant for a street light most councillors were happy to support the project.

RESOLVED: That a grant of £1,500 be awarded to Hambridge and Westport Parish Council towards a set of 'Wig-Wag' Lights, allocated from the Area North Community Grants budget 2009-10 subject to the SSDC standard conditions for community grants.

Reason: To determine an application for financial support submitted by Hambridge and Westport Parish Council

(Voting: 10 in favour, 1 against, 1 abstention)

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

29. Turn Hill – Parish Lengthsman (Executive Decision) (Agenda item 11)

The Area Development Manager (North) introduced the report as set out in the agenda, and gave apologies for the Streetscene Manager who was unable to attend. It was explained that there had been pilot schemes for Parish Lengthsman and they had proved to be very successful. The Streetscene Manager was very supportive of the principle of Parish Lengthsman as they had many benefits but unfortunately the Streetscene core budget was unable to finance the Turn Hill scheme.

Ward Member, Councillor Rupert Cox, who had co-ordinated the parish involvement, commented that the parishes realised that they wouldn't get the same level of service in the future as they had been used to in the past, and that the Parish Lengthsman scheme gave an opportunity to address the issue. He explained that the Turn Hill parishes were due to have a speaker representing the South Petherton scheme at their next meeting to discuss how the project could be co-ordinated in the future.

There was a lively discussion and several councillors were positive about the proposed scheme and made comments including:

- The South Petherton area scheme was very successful and gave excellent value for money.
- As no core funding was available the only way the Turn Hill scheme would happen was via Area North funding but members wished to establish alternative 'corporate' funding in the future.
- Funding breakdown indicated a good scheme due to parish council contributions and partnership working with Somerset County Council

Most of the committee were minded to support the scheme although some concerns had been raised about inflated costs and sources of funding in future years. It was proposed and seconded that funding for the first year came from the Area North Service Enhancement Budget 2009-10.

- RESOLVED:**
- (1) That up to £5000 be awarded to a new partnership with the Turn Hill parish group and Somerset County Council, for the new Turn Hill Parish Lengthsman Scheme. The first year's allocation to come from the Area North Service Enhancement budget 2009-10.
 - (2) That the award be made to Long Sutton Parish Council, as the accountable body for the scheme, with further annual awards made subject to satisfactory annual reviews, and subject to the availability of annual budgets, from each partner, and all subject to conditions based on SSDC Corporate Grants policies.
 - (3) That the Area Development Manager (North) be authorised to sign an appropriate grant agreement, with the support of the SSDC Streetscene Manager, Chairman of Area North, and Ward Member for Turn Hill, on behalf of SSDC. The comments of the Streetscene Manager, and any related requirements from SCC Highways, to be considered, and where necessary included within the agreement, to form the basis of the annual review.

Reason: To consider a request for a financial contribution towards a Parish Lengthsman Scheme covering the Turn Hill ward and associated villages.

(Voting: 11 in favour, 1 against)

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

30. Area North Rural Community Transport – Community Cars Scheme (Executive Decision) (Agenda item 12)

The Community Regeneration Officer (North) introduced the report and explained that the project was still being developed and was seeking the support in principle of the Area North Committee. Community Cars schemes could help to address the difficulty of accessing transport in rural areas. She explained that there was a project steering group meeting in mid March and would welcome comments and feedback from councillors about the proposed scheme as given in the agenda report.

Ward Member for South Petherton, Councillor Paull Robathan, commented that the Local Strategic Partnership had recently had a presentation about Community Cars and had been impressed with how the schemes work. He noted that for a relatively small amount of money it was possible for a scheme to be set up.

There was a short discussion about the schemes and the following key points were raised which it was felt should be considered by the programme steering group as the programme brief is developed:

- Impact on other providers – public and private
- Impact on SSDC concessionary bus fares
- How would the proposed service complement or add value to existing transport options in Area North
- The criteria for those accessing the proposed scheme

Councillors were content to offer in principle support to develop a network of community cars schemes and give financial support towards the start up and development costs for a programme of community cars. It was proposed and seconded that Councillor Sylvia Seal be appointed to act as Area North representative for the programme.

RESOLVED: (1) That the development of community car schemes across South Somerset be supported in principle, subject to a detailed programme brief being approved by the programme steering group, with detailed costs, programme governance, confirmed match funding from other partners, evidence of efforts to secure external funding, and an agreed plan for the long-term sustainable operation of the service.

- (2) That the following key points be considered by the programme steering group as the programme brief is developed:
- Impact on other providers – public and private
 - Impact on SSDC concessionary bus fares
 - How would the proposed service complement or add value to existing transport options in Area North

- The criteria for those accessing the proposed scheme
- (3) That up to £5,000 be allocated towards the one-off start and development costs for a programme of community cars, from the Area North Service Enhancement budget 2009-10, as a partnership contribution to Somerset County Council.
 - (4) It be noted that the exact numbers of schemes, which are feasible in each SSDC area, had not been determined in detail for each area, and this would be reflected in any final funding proposals, and relative contributions by area.
 - (5) That Cllr Sylvia Seal be appointed to act as Area North representative for the programme.
 - (6) That the Area Development Manager (North) be authorised to confirm the final funding contribution to the programme, once the issues noted in recommendation 1 are agreed, and in consultation with the Area Chairman and the Area North councillor representative (recommendation 5).

Reason: To consider offering in principle support to an emerging programme to develop a network of Community Cars schemes across South Somerset.

(Voting unanimous:)

*Teresa Oulds, Community Regeneration Officer (North)
teresa.oulds@southsomerset.gov.uk or (01458) 257435*

31. Addressing Area North Priorities 2009-10 – Progress Report (Agenda item 13)

It was explained by the Area Development Manager (North) that there was duplication between this report and Budget Monitoring Report that was to follow, as some of the items were linked. She reminded councillors of the principles of Area Development which included:

- Enable-partner-deliver ethos
- Helping local people help themselves
- Finding ways to reduce costs
- Maximising investment from elsewhere
- Making a difference to local well-being

With the aid of PowerPoint slides examples of some recent successes of Area North work was highlighted which included:

- Refurbishment of the All Saints Hall in Stoke Sub Hamdon to provide improved facilities and new activities
- Stoke Sub Hamdon – new pavilion and changing rooms for local sport and recreation
- New multi-use games area at Fivehead –
- Local Information Centres and Community Offices in Langport, Somerton, Martock and South Petherton
- LINKS – Somerton and Langport Community Transport Service – Service Level Agreement for 3 years

It was also noted that some of the projects in the Capital programme were underway:

- Foundations had been laid for the Seavington shop and it was hoped the project would be completed by May 2010.
- Site preparation had commenced at Bartletts Elm, Huish Episcopi

Councillors were impressed by the list of work that had been supported by the Area North team as indicated in Appendix B of the agenda report. The Area Development Manager (North) gave an update and highlighted that the Cowleaze project in Shepton Beauchamp had also been supported and the group had been awarded substantial Lottery funding. The team had also recently supported the start up of a community film club in Langport that had also been successful in obtaining Lottery Awards for All funding.

The committee were reminded about the Area North Parish Evening to be held on 10 March 2010 at Norton Sub Hamdon Village Hall.

- RESOLVED:**
- (1) That the report be noted.
 - (2) That the date of the Area North Parish Evening be noted.

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

32. Area North 2009/10 Budget Monitoring Report for the Period Ending 31 December 2009 (Executive Decision) (Agenda item 14)

The Area Development Manager (North) commented that there were no updates and all information was contained within the agenda report. There was not expected to be any significant over or under spend with any budgets although there would be some carry forwards. It was noted that the area priorities needed to be reviewed early in the new financial year.

Councillors asked for clarity about recommendation 5 and what the requested money was for. In response, it was explained that the funding request was for the support of feasibility and consultancy fees regarding more access to the Upper Parrett Waterway as shown in Appendix D of the agenda report. A councillor added that issues regarding access to the River Parrett had been ongoing for a number of years but the Environment Agency now had some small funds available and the Waterways Development Trust were keen to try and progress the project.

There was a short and lively discussion about the allocation of funds within some budgets and information regarding the financial implications of the feasibility costs associated with Upper Parrett Waterway. Councillors felt more information was required and suggested that the request for feasibility funding was brought back to the committee at a later date as a separate item for consideration. It was proposed and seconded that recommendations 1, 2, 3 and 4 be approved but recommendation 5 not be approved but to be taken as a separate item to Area North Committee at a future date.

- RESOLVED:**
- (1) That the current financial position of the Area North budgets be noted.
 - (2) That the revised Reserve Schemes and profiling of the Capital Programme for 2009/10 – 2013/14 be agreed.

- (3) That the position of the Play & Youth capital investment programme in Area North be noted.
- (4) That the position of the Area North Community Grants budget, including details of grants authorised under the Scheme of Delegation by the Area Development Manager (North) in consultation with the ward member(s) be noted.
- (5) That recommendation 5 in the agenda report (approve the allocation of £5000 as a partnership contribution towards feasibility costs associated with the Upper Parrett Waterway Plan, including the potential of capital investment into use of the River Parrett at Langport Navigation Project) not be approved but to be taken as a separate item to Area North Committee at a future date.

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

(Voting: 10 in favour, 2 abstentions)

*Charlotte Jones, Area Development Manager (North)
charlotte.jones@southsomerset.gov.uk or (01458) 257401
Nazir Mehrali, Management Accountant
nazir.mehrli@southsomerset.gov.uk or (01935) 462205*

33. Area North Committee – Forward Plan (Agenda item 15)

The Area Development Manager (North) informed councillors that the Asset Strategy would not go to the March meeting, as additional information was required and being sourced. It was noted that the report would come to the Area North Committee in April or May when the new Asset Strategy was in a draft format.

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

34. The SSDC (Kingsbury Episcopi No.1) Tree Preservation Order 2009 (Agenda item 16)

The Tree Officer clarified that the report was seeking confirmation of a Tree Preservation Order relating to 264 traditional orchard trees on land opposite the Primary School at Stembridge, Kingsbury Episcopi. With the aid of PowerPoint slides he showed various maps and photographs of the site and explained in detail the difference between a traditional and commercial orchard. It was noted that grant funding was available to owners to maintain orchards. Key reasons were given to councillors as to why they should consider confirming the Order including:

- Preservation of orchard from future threats, e.g. use as a horse paddock
- Preservation of amenity, cultural and ecological benefits
- Preservation of a designated priority habitat
- To manage local hydrology sustainably
- Average tree cover in South Somerset is only 4%, the national average is 11%
- Promote a balanced built and natural environment

Ward Member, Councillor Derek Yeomans, commented that outline planning permission for dwellings on part of the orchard adjacent to the road, not to the rear of existing dwellings, had been refused. Although the parish council were not against the development they were against the Tree Preservation Order. He felt that that to place the Order on the entire orchard was too extensive and broad ranging and should be modified.

Mr J McGrouther, owner of the orchard, said that he was generally in favour of preserving trees and the orchard was run as a small-holding and was concerned that the Order would dictate what crop could be grown on the site. He further commented that he felt the Order was excessive given that the entire orchard was about 1.5 hectares, and the area on which he had applied for outline planning permission was only about one eighth of the site. He explained that he wouldn't object to an Order that was applicable to individual trees of merit and those alongside the public footpath.

In response to a question, the Tree Officer explained that the proposed Order would be applicable to 264 trees across the whole orchard, but only about 30 – 40 trees were on the site on which outline planning permission had been sought. He further explained that Orders could not be placed on commercially operated orchards and did not consider this site to be a commercial orchard.

After a short and lively discussion councillors were minded not to confirm the Order as they felt there was not enough information for them to make an informed decision about what constituted a commercial orchard.

It was proposed and seconded to not confirm the Order.

RESOLVED: That the SSDC (Kingsbury Episcopi No.1) Tree Preservation Order 2009 NOT be confirmed.

(Voting: 9 in favour, 1 against, 2 abstentions)

*Phillip Poulton, Tree Officer
phil.poulton@southsomerset.gov.uk or (01935) 462670*

35. Planning Appeals (Agenda item 17)

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.

*David Norris, Development Manager (01935) 462382
david.norris@southsomerset.gov.uk*

36. Planning Applications (Agenda item 18)

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).

09/03849/FUL The erection of a building for B1, B2 and B8 uses at Lopen Head Nursery, Lopen Head, South Petherton. Applicant: Probiotics International Ltd.

(Councillor Tony Canvin, having earlier declared a personal and prejudicial interest, left the room for this item)

The Principal Planner explained to the committee that in error, South Petherton Parish Council had not been consulted on the application. Although the site was in Lopen parish, South Petherton had also historically been consulted about applications on the site due to its proximity. South Petherton had an expectation to make comments on the application as they had been consulted on previous applications related to the site.

The Solicitor advised that procedurally the application should be deferred to allow South Petherton Parish Council to be consulted.

Ward Member, Councillor Paull Robathan, noted that South Petherton Parish Council were due to meet on 1 March 2010 and could consider the application at that meeting. He suggested that to minimise the delay in determining the application, that a Special Meeting of the Area North Committee be held as soon as possible, after receiving comments from South Petherton, to make a decision on the application.

It was acknowledged that it was disappointing to defer the application as so many members of the public were in attendance for the application.

It was proposed and seconded to defer the application to allow South Petherton Parish Council to be consulted.

RESOLVED: That the application 09/03849/FUL be DEFERRED to allow South Petherton Parish Council to be consulted. A Special Meeting of Area North Committee to be arranged as soon as possible, after receiving comments from South Petherton Parish Council, to determine the application.

(Voting: Unanimous in favour)

(N.B. Subsequent to the meeting, a Special Meeting of Area North Committee was arranged for 2pm on 15 March 2010 at Ash Village Hall)

09/04274/FUL Demolition of a single storey lean-to extension and staircase, part change of use, internal and external alterations to premises to provide a community building for worship, business and social use at the Old Custom House Inn, Bow Street, Langport. Applicant: Huish Episcopi and Langport Religious Education and Resources Trust

(Councillor Tony Canvin back in the room)

This item was presented and discussed together with the following application, 09/04280/LBC, which was for listed building consent at the same location.

The Planning Officer presented the report and with the aid of PowerPoint slides showed floor plans and photographs of the property. Current usage and usage proposals for each area of the building was explained and it was noted that the stables to the rear of the

property would be converted into a youth club area. It was explained that it was a complex application in terms of use and change of use. It was noted that the current A4 classification permitted changes to A1 - shops, A2 – financial and professional services, and A3 uses - cafes and restaurants without a need for planning consent. On the first floor there would be part change of use to B1, D1 and D2 use, three rooms on the second floor at the front of the property would be changed to office space. The existing external staircase would be removed due to its poor state and a new fire escape would be provided at the rear of the building. Currently bricked-up windows at the rear of the building would be re-opened.

At the side of the property it was proposed to construct a two-storey glazed extension to provide ramped access for people of all abilities to the varying floor levels on the first floor. It was considered that the extension offered a better option than changing the floor structure of the building and it was noted that the Conservation Manager and English Heritage were content with the design of the extension.

The Planning Officer advised that two further letters of objection had been received since the report was published, one of which stated 'Religious' had been omitted from the name of the applicant. The other letter alleged bias towards the applicants and strong feelings made by Langport had been ignored. It also stated Langport did not need another charitable enterprise in the town centre. She also gave a verbal update that Environmental Health had stated no objection to the proposal subject to conditions for details of extraction/ventilation from the cafe and kitchen to be submitted to and approved by the Local Planning Authority.

It was also noted that additional information from the applicants - a business plan and budget information, had been circulated to members of the Committee on the Monday prior to the meeting. The Economic Development Team Leader still maintained an objection to the proposal and expressed concern about the intent for the premises to be business orientated in the future. He also stated the various submissions provided insufficient information with outgoings versus level of income unclear. Proposed office space would not return significant income and business/office rooms may, in future, be requested to change to alternative community or residential use. From an economic perspective he felt the application was tenuous.

The Planning Officer concluded that on balance the proposal provided a largely accessible community facility. Some information had been provided to her by the applicants regarding people who were interested in using the office space although nothing had been formalised. If a future proposal was received to change the offices into further community use, the Local Planning Authority would be unlikely to see this as a problem.

Reverend H Ellis spoke in support of the application and noted that the church had aspired to have a greater presence in the community for at least five years, and to have the church office in the town would be a better location. He explained that in addition to the business use, the proposals would also be a home to the Yo Yo Youth Club and provide a space for spiritual reflection and quiet space too. Before the purchase of the building they had carried out some informal consultation which had not indicated there were any issues locally, however, he acknowledged that it soon became apparent that they were not as well connected as they thought. The proposals would give the dilapidated building a new lease of life and a community run pub would offer many benefits to the community.

Mr C Sills commented that the proposal would re-open, renovate and dramatically improve public access to the building. Approximately 75% of the ground floor would be for

public house type activities; the café area at the front would still function as a public house type space but would be a food serving area too. He advised that although objections had been made about the keg storage area, this had not been removed but relocated within the bar area. It was noted that there was a wish to carry out the building works in line with English Heritage. In the future they also hoped to review their management structure for the entire building and had already received tentative enquires from some organisations.

Mr P Douglass had requested to speak in support of the application but on hearing the previous speakers advised that his points had already been covered.

Mr P Mounter commented that he did not consider there was rear access to the property from the public car park, as a strip of land was owned by a third party. It was explained that he had been a resident and member of the town council for many years and was speaking of behalf of numerous people who were against the application in its current state. He noted that in the past the Old Custom House had been a successful pub but acknowledged it was dependent on the landlord. It was hoped that the next landlord would invest in the property and turn it around. He also felt the church had purchased the property without consulting the public. He noted that Langport already had youth clubs and office space to let and more space was not desperately needed.

Ms A Hawkins, representative for the applicant, noted that the Old Custom House was a Grade II Listed Building and was in a poor state of repair. She explained that they wanted to restore and make the building as eco-friendly as possible, and wished to keep part of its use as a public house to continue its usage history. They proposed to revert the building to its previous name of 'The Angel'. The exterior glazed corridor would allow full DDA access to the first floor. It was commented that they did not perceive that the proposed usage of the building would conflict with other facilities but would complement existing services and help with social cohesion.

Ward Member, Councillor Roy Mills, raised a number of points including:

- CAMRA (Campaign for Real Ale) want traditional pubs, but with statistics suggesting 50 pubs closing weekly that it may be the wrong time for investment to turn the building solely into a viable pub.
- The town council had questioned if the church was able to finance the proposals, a view shared by Economic Development, but this wasn't a planning matter.
- Some people had claimed that the proposed pub area was too small, but the church hadn't changed the size but made it multi-use. Comments about another café being detrimental to existing businesses was not a planning issue.
- Concerns about car parking was a civil matter
- Concerns had been raised about the property being in a flood zone, but the property was a not a new one and the officer report stated that the proposal fell within the Environment Agency's Flood Risk Standing Advice and was not an issue.

There was a lively discussion about the application and many comments were made including:

- No requirement for the church to inform anyone of what they were buying
- The building was in a bad state of repair and should not be left empty for too long
- Admired church for taking on the project
- It's a historic building and the remaining skittle alley would be only one of a few locally
- Good to see an empty building put back into use
- Footprint of whole building was probably too big for use solely as a pub
- Concern that some of the proposed uses of the building may not naturally sit together
- Potential to be an asset to Langport

Some councillors were not totally in favour of the design of the glazed extension but understood why it was required. They commented that an extension more in keeping with the building would have been preferred, but were content that if the proposed design met conservation requirements that it was acceptable. Councillors were minded to approve the application subject to the conditions set out in the agenda report.

RESOLVED: That planning permission be APPROVED for application 09/04274/FUL subject to the conditions set out in the agenda report.

(Voting: Unanimous in favour)

09/04280/LBC Demolition of a single storey lean-to extension and staircase and alterations and extension to premises to provide a community building for worship, business and social use. Applicant: Huish Episcopi and Langport Religious Education and Resources Trust.

This item was presented and discussed together with the previous application, 09/04274/FUL, which was for planning permission at the same location.

Most councillors were minded to approve the consent, see minutes for 09/04274/FUL, subject to the conditions set out in the agenda report.

RESOLVED: That listed building consent be APPROVED for application 09/04280/LBC subject to the conditions set out in the agenda report.

(Voting: 11 in favour, 1 abstention)

09/04613/FUL The excavation of land to side of property and the erection of retaining walls. Applicant: Miss A Sauer.

The Planning Officer introduced the report in the absence of the case officer for the application. It was explained, with PowerPoint slides that the area behind the roadside wall was the land to be excavated. It was noted that the works had partly started although it was not deemed to be a totally retrospective application. She explained that the key issues were visual and residential amenity, impact on the listed building opposite and the safety of vehicular access. It was noted that Highways had made no objections, but the parish council had raised objections as a garage was to be constructed and would limit the turning space for a car to exit the property. In response the Planning Officer explained that the proposed garage did not require planning permission and should not be considered as part of this application.

The Planning Officer gave a verbal update on further comments received from the parish council which included that they felt it was illogical to consider the application without also considering the purpose for the works - the construction of a garage. This would reduce the available turning area and gave concerns over the safety of vehicles potentially reversing onto the road, and the safety of vehicles passing on the narrow road.

Mr D Thomas, on behalf of the applicant, explained that all they had wished to do was improve the garden area and remove a large area of sloping concrete in order to create a level, off road parking place. He noted that they had enquired prior to commencing works if planning permission was required and the response had been that they didn't, but it had not been clarified how much earth was permitted to be removed. As soon as they had realised permission would be required the works had ceased. He explained that the proposals did not change the access to the property or the visibility onto the road. They

would be happy to replace any soil to meet volumetric limits but noted the removal of the soil had rectified a damp problem on the neighbouring property.

In response to a question about materials, the Planning Officer clarified that the parking area would be shingle, and the retaining walls would be rendered to match the rear of the property.

Ward Member, Councillor Paull Robathan noted that the application was at committee as the parish council disagreed with the officer recommendation. Whilst he was minded to support the application he would have liked a condition that would protect the foundations of the neighbouring property. In response, the Solicitor advised that this was a private law matter and not something that could be covered by condition.

Ward Member, Councillor Keith Ronaldson commented that there was a good advantage to creating off road parking. Division Member, Councillor Anne Larpent also noted that parked vehicles in Over Stratton often caused obstruction to larger vehicles.

Some councillors expressed concern about the materials proposed for the retaining wall, and would have preferred to have seen materials which protected the impact on neighbouring properties such as hamstone. The Planning Officer confirmed that the proposal of render would match the rear of the property and acknowledged there was no photograph of the rear of the property. The Development Manager commented that if councillors were minded to approve the application that there could be an additional condition for materials, to be agreed with the ward members.

It was proposed and seconded to approve the application subject to the condition set out in the agenda report and the following additional condition.

RESOLVED: That planning permission be APPROVED for application 09/04613/FUL subject to the condition set out in the agenda report and the following additional condition:

No development shall take place until a sample of the material to be used in the construction of the external surface of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

*David Norris, Development Manager (01935) 462382
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Chairman