

Meeting AN 07M 10/11
Date 27.10.10

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Village Hall, Chilthorne Domer on **Wednesday 27 October 2010**.

(2.00pm – 5.20pm)

Present:

Members: Patrick Palmer (Chairman)

Jill Beale (until 4.45pm)	Derek Nelson	Sylvia Seal (from 2.05pm)
Ann Campbell	Paull Robathan	Sue Steele
Roy Mills	Jo Roundell Greene	Derek Yeomans

Somerset County Council

John Bailey (until 3.15pm)
Anne Larpent (3.05pm to 4.45pm)

Officers:

Les Collett	Community Development Officer (North)
Steve Brewer	Community Safety Co-ordinator
Chris Cooper	Streetscene Manager
Jon Brown	Streetscene Coordinator
Adrian Noon	Area Lead North/East (Development Management)
Claire Alers-Hankey	Planning Officer
Neil McWilliams	Assistant Highway Service Manager (SCC)
Ian McWilliams	Planning Liaison Officer (SCC)
Sgt. Alan Bell	Avon and Somerset Constabulary
Becky Sanders	Committee Administrator

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

76. Minutes (Agenda item 1)

The minutes of the meeting held on 22 September 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

77. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Rupert Cox, Keith Ronaldson and Tony Canvin.

78. Declarations of Interest (Agenda item 3)

There were no declarations of interest.

79. 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 November 2010 at the Millennium Hall, Seavington.

80. Public Question Time (Agenda item 5)

There were no questions from members of the public.

81. Chairman's Announcements (Agenda item 6)

There were no announcements from the Chairman.

82. Reports From Members (Agenda item 7)

Councillor Jo Roundell Greene commented that she had attended the AGM of the Somerset Building Preservation Trust and reminded members that the trust had received grant funding from SSDC. She noted that they would be doing work in the Chard area in the near future.

Councillor Derek Nelson commented that no agreement had been reached regarding the situation with the existing houses and development at Westfield in Curry Rivel. He felt the existing residents on the site had had a poor deal with Yarlington and although they had waited approximately four years, the situation was no further forward.

Councillor Derek Yeomans further commented that the road in front of the existing owners properties had been degraded by construction traffic. He noted it was an unsatisfactory situation and had reduced his confidence in developments by Yarlington.

83. Area North Community Safety and Neighbourhood Policing (Agenda item 8)

The Community Development Officer introduced the item and explained that he hoped the agenda report was comprehensive, and that Sgt Alan Bell and the Community Safety Coordinator were present to answer any questions. He commented that the Chairman of the Area North Community Safety Action Panel (ANCSAP) was also present in the audience to take questions if required.

In response to comments and queries from members the officers and Sergeant Bell explained that:

- In order for volunteers of Seavington Speedwatch to become accredited they needed to contact the Community Speedwatch Co-ordinator at SSDC to arrange the necessary training.
- The majority of speeders dealt with at roadside by the Police during Community Speed Watch sessions lead to prosecution or penalties.
- Speeders caught during Community Speed Watch sessions were not charged after the event by letter but were likely to receive warning letters or occasionally Police officers had made home visits.
- There was little funding available for the work of ANCSAP but work would continue to seek sources of financial support. Cuts in financial resources would be inevitable

following the outcome of the governments Comprehensive Spending Review but the partnership would try to ensure the service to communities continued.

- Information sent to parish councils about crime figures would be in a brief and consistent way. It was acknowledged there were currently some issues regarding the circulation of information, but the aim was for the information to be placed on parish notice boards or added to parish council agendas.
- Crime prevention, apprehending offenders and investigating crime would be the main priority of neighbourhood policing. Avon and Somerset Constabulary would not be withdrawing from community projects but would no longer take a leading role.
- The full impact of the Comprehensive Spending Review and the savings required would not be known until early 2011.
- There were four CCTV cameras in use across Area North and locations varied depending on the areas of most need.
- The young male who had been charged with burglaries and lead thefts was being dealt with through the criminal justice system.

The Chairman of ANCSAP commented that when decisions had to be made in the future about funding, he hoped that the partnership would be reviewed carefully.

The Chairman (Area North) commended everyone involved with the Martock Fire Station Community Event and thanked all the officers for the report and answering questions.

RESOLVED: It was resolved that:

- 1) the report be noted.
- 2) there were no specific local issues identified.

Les Collett, Community Development Officer (North)
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Steve Brewer, Community Safety Co-ordinator
steve.brewer@southsomerset.gov.uk or (01458) 462390

84. Highway Authority Half-Yearly Report – Area North (Agenda item 9)

The Assistant Highway Service Manager presented the report as shown in the agenda. He updated members that the reference to 600,000m² of surface dressing in the report was for the district and should have read approximately 200,000m² for Area North. Resurfacing works in Lopen were still scheduled but had been omitted from the report by mistake. He commented that:

- some of the surface dressing had failed and would be rectified at the contractors expense
- a letter would be circulated shortly to parish and town councils about the collection of bags of grit (salt)
- gully clearing would be ongoing as would some weed spraying
- gully clearing was a reactive service and often reliant upon people reporting issues.
- confidence that there was sufficient grit for the coming winter season

Members raised several parish specific issues which were logged by the Assistant Highway Service Manager who acknowledged that he would investigate the issues further.

Members thanked the Assistant Highway Service Manager for an informative report.

RESOLVED: That the report be noted.

*Neil McWilliams, Assistant Highway Service Manager
countyroads-southsom@somerset.gov.uk or 0845 345 9155*

85. Performance of the Streetscene Service (Agenda item 10)

The Streetscene Coordinator presented the report to members, highlighting the main points as:-

- The national indicator results as shown in the agenda report
- The primary focus of work had been operational works including some watercourse maintenance.
- Winter watercourse maintenance would commence on 1 November 2010.
- Two courses of weed control had taken place but it was acknowledged there were still issues. A winter programme would be undertaken but was weather dependent.
- The team was progressing the introduction of Dog Control Orders and a final decision would be made by full Council.
- There had been some 'down time' due to essential Health and Safety training.
- Local area quality inspection results – some failures had been due to road sweeping being deprioritised while rural roads were litter picked early in the year and these issues had since been addressed.

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

- Weed control in towns was undertaken by Streetscene and Somerset County Council were responsible for weeds along rural roads and in villages.
- Information on the breakdown of the content of fly tips was monitored.
- It was uncertain what the future monitoring would be following the recent government announcement that National Indicators would cease. The reason to monitor was to improve services and the invitation to walk parishes with a representative from Streetscene would continue.
- Parishes could be informed about the winter weed control programme before the operation took place
- There is an agreed protocol in place regarding fly-posting in South Somerset, and this was followed by the service when fly-posting was found.

The Committee congratulated the Streetscene team on their work and thanked them for their positive 'can do' approach. The Chairman thanked the Streetscene Manager and the Streetscene Coordinator for the work of the service.

RESOLVED: That the report be noted.

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

86. Grant – Enhancement of Cricket Facilities at Curry Rivel Cricket Club (Executive Decision) (Agenda item 11)

The Community Development Officer (North) introduced the report as outlined in the agenda and explained that it was a resubmission of the grant application first considered

in August. Members were reminded that the grant application was for the purchase of a new, powered, wicket roller. The specification of the proposed roller was for use by cricket clubs. He noted that the concerns raised at the August Committee had been addressed and were shown in the agenda report. It was explained that the club were unable to allocate further funding to the project as monies had been spent on the hire of a roller, but the parish council had increased their contribution.

Ward Member, Councillor Derek Nelson, indicated his support for the project and commented that the club fulfilled the needs of many people especially the youth element.

Mr P Sleightholme, Youth Co-ordinator for the Cricket Club gave a brief overview of the work the club were hoping to do in the future and also commented that the grounds were also used by the school.

During the short ensuing discussion, the Community Development Officer responded to questions from members and confirmed that:

- It was unlikely the roller could be loaned to other communities due to transporting issues
- It was unfortunate that the roller only had a 12-month warranty, but a sinking fund would be in place for future maintenance.
- The history of the clubs previous roller gave an indication of the robustness of the equipment and the clubs intentions to maintain a roller in good order.

Members were broadly in favour of supporting the project and on being put to the vote, was carried unanimously.

RESOLVED: That a grant of £1445 be awarded to Curry Rivel Cricket Club, towards a replacement powered wicket roller allocated from the Area North Community Grants budget subject to the SSDC standard conditions for community grants and the following special condition:

- a) The applicant must make provision for future repair and replacement. SSDC recommends the applicant establish a sinking fund to achieve this condition.

Reason: To determine an application for financial support submitted by Curry Rivel Cricket Club.

(Voting: Unanimous in favour)

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

87. Area North Committee – Forward Plan (Agenda item 12)

The Community Development Officer (North) informed members that the report about Conservation Area Appraisals was unlikely to be in November. Members also requested the following:

- A report regarding parking in Langport
- A date for the Asset Management Strategy
- That the report on Huish Episcopi Sports Centre be scheduled for the February 2011 meeting.

- RESOLVED:** 1) That the Area North Committee Forward Plan be noted.
- 2) That priorities for future reports be noted

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

88. 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.

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

89. Planning applications (Agenda item 14)

The Committee considered the applications set out in the schedule attached to the agenda and the planning officer 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).

10/02346/FUL – The erection of a doctors surgery and pharmacy with associated access and associated works at Hams Ground, Hamsfield Lane, South Petherton. Applicant: Haven Health Properties Ltd.

The Planning Officer introduced the application as shown in the agenda report and explained that the application was for a new doctors surgery situated adjacent to the new hospital. With the aid of slides she indicated the site location and other aspects of the application including:

- The catchment area of the surgery included South Petherton, Kingsbury Episcopi, the Lambrooks, the Seavingtons, Over Stratton and Shepton Beauchamp.
- The proposed access to the surgery via the hospital entrance off of Pitway Hill.
- The temporary construction access via Lightgate Lane and along the edge of a field.
- Site plans showing layout, parking, landscaping, building elevations and profile views of the proposed buildings.
- Proposal was a contemporary design with a mono pitch roof that would relate well to the hospital building.

The Planning Officer updated members that four further letters of objection had been received since the report had been published and generally raised concerns regarding temporary access for construction traffic along Lightgate Lane. She noted key issues of the application included impact on the existing pharmacy in the centre of South Petherton, availability of public transport, parking, greenfield site, temporary construction access, surrounding Public Rights of Way.

It was noted that the town centre pharmacy had been offered the tenancy of the new proposed pharmacy but had declined and confirmed that it had no intention to move should this application be approved. The Planning Officer highlighted that other surgeries and pharmacies in the SSDC area had a similar set up to the proposed application, such as Langport. Regarding public transport, she noted that the requirement of an updated green travel plan would be conditioned. Members were informed that Stagecoach had confirmed that they were satisfied with access to the site for their service. Nippy Bus had also been approached about providing a route. The Planning Officer explained that the parking provision was considered to be adequate with policy and the Local Planning Authority would not wish to encourage an increase in spaces due to visual impact. She noted that the surgery had looked at other sites but these had been considered unsuitable due to gradient, costs and locations which would have no link to primary care.

It was noted that the temporary access for construction traffic had been the subject of objections. Construction of the proposed surgery was predicted to take approximately eight to ten months with heavy construction taking two to three months. The Planning Officer noted that if the application were to be approved, she recommended an additional condition requiring a construction plan, indicating vehicle movements and hours to be submitted. Improvements to the Public Rights of Way would be an 'on the ground' contribution and not financial.

Mr K Dexter, on behalf of South Petherton Parish Council, expressed concern regarding the use of Lightgate Lane by construction traffic and that measures needed to be taken to minimise inconvenience to residents. He noted that the new Nippy Bus service would commence in early November.

Mr P White spoke in objection to the application and commented that construction vehicles had not been permitted to use Lightgate Lane for access during construction of St Michaels Gardens. He noted he was the only objector present and queried if all objectors had received notification of the committee meeting.

Mrs M Willy, a supporter of the application, stated that she had a non-financial family interest in the field concerned with the application. She commented that anyone visiting the existing surgery would understand why the new surgery was desperately needed.

Dr A Quayle, supporter, commented that he was aware of the need not to de-stabilise the centre of South Petherton and acknowledged the proposed location would not be ideal for some patients. He noted that the existing surgery was no longer fit for purpose as it had no parking and was not DDA compliant (Disability Discrimination Act). A funding opportunity from the Primary Care Trust was only available if the proposal was located near to the hospital, and offered an exciting opportunity for a new facility.

Ward member, Councillor Paul Robathan commented that most people were in support of the principle of a new surgery. He noted several points including that residents of Lightgate Lane had been inconvenienced before several times; would prefer to see a link with the pharmacy in the centre of South Petherton, the proposed location would disadvantage many residents of South Petherton. He also expressed concern about public transport and noted that services in the past had been infrequent. Whilst he was supportive of the principle he felt there were a few issues that needed to be resolved before moving to the next stage.

Division Member, Councillor Anne Larpent, expressed her support for the proposal in principle and hoped that if the application was approved, both pharmacies could work together.

During the ensuing discussion members requested clarity of several facts and in response to questions the Planning Officer confirmed that:

- Yarlington had raised no objections to the application, or use of the section of Lightgate Lane that was in their ownership.
- The Developer had measures in place should there be a dispute regarding ownership of the access to the surgery across Hamsfield Lane.
- Agricultural rights along or over Hamsfield Lane would remain.
- The proposed surgery would be owned and leased to the doctors

The Planning Liaison Officer (SCC) commented that the strategy for car parking indicated a requirement of two parking spaces per consulting room. The proposed application would provide for three spaces and was therefore considered adequate.

Members made several comments including:

- There were other locations nearby with a surgery pharmacy and an 'in town' pharmacy and both businesses appeared to be trading well.
- Design would work well in hospital context
- Acknowledged construction traffic would cause inconvenience or disruption to local residents but was temporary.

Members were broadly supportive of the proposals and it was proposed and seconded to approve the application subject to the recommended additional condition regarding a Construction Management Plan, and on being put to the vote was carried:

RESOLVED: That planning application 10/02346/FUL be APPROVED subject to the conditions set out in the agenda report and an additional condition as follows:

The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies EP6, ST5 and ST6 of the South Somerset Local Plan.

(Voting: 9 in favour, 0 abstentions, 1 against)

10/02898/FUL – Demolition of existing garage and the erection of a new dwelling at 47 Birch Road, Martock. Applicant: Mr S N Chapman.

The Planning Officer introduced the application as shown in the agenda report and explained that the application was to demolish the existing garage and to erect a new detached dwelling alongside the existing dwelling with linked porches. With the aid of slides she indicated the site location and other aspects of the application including:

- Elevations of existing dwelling and the proposed new dwelling

- Location of Public Right of Way to north of property known as Hills Lane
- Pedestrian access in front of the property linking Hills Lane and Birch Road

Members were updated that a further letter of objection had been received raising concerns about the demolition and impact to pedestrians. She also highlighted an error in the agenda report – the first bullet point under representations should have read ‘cul-de-sac consisting of semi-detached houses and bungalows’.

The Planning Officer explained that a previous application on the site had been refused due to an inadequate parking layout and the design. She explained that the current proposal before committee whilst a detached dwelling was not considered to stand out as much and the view from Hills Lane would be improved. She noted the key issues to be considered were the design of the proposed dwelling, parking and impact on the street scene/visual amenity.

Mrs H Davies, spoke in objection to the application and noted that whilst officers may opt not to accept residents objections, the safety of residents and children with the extra car movements associated with the proposal was an issue of concern. She referred to the reasons for refusal on the previous application and commented that the new design seemed to be more acceptable to officers but in principle it remained a detached dwelling and the reasoning should be the same regardless of the view from the street.

Mr J Clements, agent for the applicant, commented that the proposed dwelling would only be visible if going to the end of Birch Road. He noted that the pathway in front of the house from Hills Lane was not a main route to school as the staggered barriers hindered use by bicycles and buggies. He commented that the proposal catered for off road parking and that two parking spaces had been allocated to both the existing dwelling and the proposed one, and that all vehicles were able to be manoeuvred independently.

Ward member, Councillor Ann Campbell, commented that after visiting the application site on two different occasions, she thought that the proposal would be like shoe-horning a dwelling into a corner. She noted that some residents did park on the street and that the end of the cul-de-sac together with parked cars was a tight area for manoeuvring and would pose a danger to any pedestrians using the pathway from Hills Lane.

The Chairman, speaking as a ward member, reiterated the comments made by Councillor Ann Campbell and noted that recently he had received an appeal decision from the Planning Inspectorate for a similar application that had been dismissed.

There was a short discussion and members raised several comments including:

- People often don't use their drives and garages for parking
- Site seemed small for what was proposed
- Concerns regarding the vicinity of the pathway from Hills Lane in relation to the parking area for the proposal.
- Cramped space and if there was space for a dwelling the original developer would have built one.

In response to members questions, the Planning Officer and Area Lead (North East) commented that if members were minded to refuse the application the reasons would be detriment to visual amenity as the proposed dwelling would be out of character of the area; and traffic movements from the proposal would conflict with pedestrian users of the pathway from Hills Lane.

Members were minded to go against the officer recommendation and it was proposed and seconded to refuse the application due to the reasons stated and on being put to the vote was carried unanimously.

RESOLVED: That planning application 10/02898/FUL be REFUSED for the following reasons:

1. The proposed dwelling would represent an over development of this site to the detriment of visual amenity, with a design that is contrary to the form and character of the area due to its detached nature. Accordingly the proposal is contrary to Policies ST5 and ST6 of the South Somerset Local Plan and PPS3.
2. The parking arrangement proposed would generate vehicular movements in conflict with pedestrian movements of the adjacent footpath, contrary to Policies ST5 and ST6 of the South Somerset Local Plan and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

(Voting: unanimous in favour)

10/03097/FUL – Change of use to mixed use residential/animal boarding and extension to swelling at Daisy Bank, Union Drove, Huish Episcopi. Applicant: Mr R Filleul.

The Planning Officer explained that the application was for the change of use of a dwellinghouse to a mixed use residential and animal boarding establishment. The application also sought permission for a two-storey extension to the existing building, with the ground floor to be used for animal boarding and the first floor for habitation. Members were informed that the planning permission for the animal boarding aspect needed to be considered in its entirety and not only in relation to the proposed extension to the building. The proposed change of use would allow the boarding of up to 22 dogs.

With the aid of slides the officer indicated the site location, elevations and other aspects of the application including the difficult junction with the main road. She commented that proposed extension was considered to be in keeping with the existing property and that the boarding business was likely to have minimal impact on neighbours. It was noted that the only objection to the application was on highway safety grounds from the Highway Authority due to the potential increase in traffic and the substandard junction of Union Drove with the B3153.

Mr C Miller, agent for the applicant, commented that the applicant did not board dogs externally but in the house as pets. The applicant/premises were currently licensed for up to 12 dogs but the proposal would allow the boarding for up to 22 dogs subject to a license application. He noted that the potential extra traffic was unlikely to be an issue as access could be gained through Hamdown Court, and the applicant would encourage that route as the access to the property.

There was a brief discussion in which members raised several comments:

- Applicant should be supported as it was an expanding business.
- Businesses and commercial traffic had used Union Drove for years
- An alternative to using the Union Drove junction was available and could be promoted

Members were minded to go against the officer recommendation, and to approve the application subject to conditions regarding time limits and materials.

RESOLVED: That application 10/03097/FUL be APPROVED subject to conditions regarding time limits and materials.

Reason: The proposed extension is considered to be subservient in terms of scale and design and is in keeping with the character of the property. Furthermore, it is considered the site is in an appropriate location for an animal boarding business, where the use will not have a detrimental impact on the residential amenity of the area or highway safety. Accordingly the proposal meets the requirements of Policies ST5 and ST6 of the South Somerset Local Plan and Policy 49 of the Somerset and Exmoor national Park Joint Structure Plan Review.

Conditions:

- 1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev 2, 002 Rev 2, 003 Rev 2.

Reason: For the avoidance of doubt and in the interests of proper planning.

(Voting: Unanimous in favour)

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Chairman