

Meeting AN 02M 11/12
Date 22.06.11

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the Millennium Hall, Seavington on **Wednesday 22 June 2011**.

(2.00pm – 5.45pm)

Present:

Members: Patrick Palmer (Chairman)

Terry Mounter
Roy Mills
David Norris

Shane Pledger
Sylvia Seal
Sue Steele

Paul Thompson
Barry Walker

Also present:

SSDC Cllrs Peter Seib and Mike Lewis. SCC Cllr John Bailey (until 3.30pm).

Officers:

Charlotte Jones	Area Development Manager (North)
Neil McWilliams	Assistant Highway Service Manager (SCC Highways)
Jon Brown	Streetscene Coordinator
Adrian Noon	Area Lead North/East (Development Management)
Claire Alers-Hankey	Planning Officer
Lee Walton	Planning Officer
Carl Brinkman	Principal Planning Liaison Officer (SCC Highways)
Greg Venn	Conservation Officer
Paula Goddard	Senior Legal Executive
Becky Sanders	Committee Administrator

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

4. Minutes (Agenda item 1)

The minutes of the meetings held on 27 April 2011 and 19 May 2011, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

5. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Pauline Clarke, Graham Middleton, Jo Roundell Greene and Derek Yeomans.

6. Declarations of Interest (Agenda item 3)

There were no declarations of interest.

7. 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 27 July 2011 at the Village Hall, Norton Sub Hamdon.

8. Public Question Time (Agenda item 5)

There were no questions from members of the public.

9. Chairman's Announcements (Agenda item 6)

The Chairman welcomed newly elected members and reminded members of two workshops:

- Area North Core Strategy workshop on 12 July in the morning
 - Area review meeting for members on 16 September in the morning
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10. Reports from Members (Agenda item 7)

Cllr Sue Steele commended the new planting at Lopen Head roundabout which now gave a good visual impression. The Area Development Manager (North) confirmed that SSDC had supported the project, led by South Petherton Parish Council, as part of the Market Towns Investment Programme. She also commented on Cllr Derek Yeomans behalf the excellent news that the Big Lottery application for £50,000 for Kingsbury Episcopi MUGA had been successful.

11. Highways Authority Report – Area North (Agenda item 8)

The Assistant Highway Service Manager presented the report as shown in the agenda. He updated members that in addition to the surfacing works indicated in the report a section of the A372 near Pibsbury would also be resurfaced. He explained that the budget for capital works had remained fairly static however revenue budgets had been substantially reduced. Future minor surfacing schemes were highlighted and it was indicated that members should feedback any further suggested schemes where the cost was likely to be under £3,000.

In response to queries from members the Assistant Highway Service Manager commented that:

- Gully clearing would now be scheduled for every two years, in addition there would be a reactive service.
- Bags of grit were likely to be available to parishes again this winter, but not dumpy bags at the roadside

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*

12. Performance of the Streetscene Service (Agenda item 9)

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

- The national indicator results as shown in the agenda report
- The reduction in budget from Somerset County Council (SCC) for maintenance of their verges was for cutting grass on residential amenity land not verges along main highways.
- Due to a reduction in budget from SCC for weed control, there would only be one spray treatment programmed, with additional spot spraying being done if there was sufficient budget.
- New Dog Control Orders would be in effect from 1 July 2011.
- Fly tipping was being closely monitored following changes to opening hours and charges at Household Waste Recycling Centres.
- Hedge cutting would take place from July onwards
- Streetscene carried out vegetation maintenance on some watercourses. Silt removal would be co-ordinated by SSDC Engineers as and when required.
- A specialist pressure washer for graffiti removal had been purchased

In response to questions from members, the Streetscene Coordinator confirmed that Enforcement Officers would implement Dog Control Orders, and that to take a case to court evidence such as photographs or officers witnessing a dog fouling would be required. If a member of the public witnessed a dog fouling and could name the owner then a letter from an Enforcement Officer would be sent.

The Chairman thanked 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

13. Area North Development Plan 2010-11 – Outturn Report (Agenda item 10)

The Area Development Manager (North) introduced the report as shown in the agenda and commented that it was an opportunity for members to discuss the work done and suggest projects for the future. She explained that the current area review which was in progress would look at the work of the areas, the structure and resources.

A presentation was shown which highlighted some of the projects and areas of work that had been, or were being, supported by SSDC including:

- Post Office provision in communities where Post Offices had closed
- Access to services - Local Information Centres
- Ilton Recreation Ground, among others, with a significant programme of investment into new and improved facilities
- Cowleaze project, Shepton Beauchamp – no direct funding but officer support
- Hambridge zig-zag lights – small grant for a local priority project
- Support to local communities developing activities and facilities for young people, in some places stimulated by alterations to youth services provided by Somerset County Council. No funding given to fill shortfall but advice given regarding several aspects including governance and recruiting volunteers.
- Downside – example of enforcement work via a successful Section 215 notice.

- Public conveniences – discussions about asset transfer. Stoke Sub Hamdon due to close shortly. Looking to continue provision in South Petherton but not in the current location

The Area Development Manager (North) commented that affordable housing was the current top priority and that a full report was due in July. During the ensuing brief discussion members raised several queries to which the Area Development Manager (North) responded that:

- Priorities could be reviewed at any time. There was no set process but the suggested way forward was to hold a workshop after looking at what parishes wanted and assessing if there were common themes. The existing priorities would remain until any new ones were decided upon. A workshop would also give the opportunity to review the priorities in the capital programme with a view to potential re-profiling of timeframes and levels of funding.
- Langport and Somerton Links was likely to continue after the end of the current Service Level Agreement, without pre-empting future requirements for financial support, one off capital grants towards replacement or additional vehicles may be the preferred means to support the service.

The Chairman suggested, and members agreed, that a workshop to review Area North priorities should be arranged for the early autumn.

RESOLVED: That the report be noted.

*Charlotte Jones, Area Development Manager (North)
charlotte.jones@southsomerset.gov.uk or (01935) 462251*

14. Area North Financial Outturn Report 2010/11 (Executive Decision) (Agenda item 11)

The Area Development Manager (North) summarised the report as shown in the agenda and emphasised it was for the year up to the end of March 2011. She commented that there had been an overall saving of 6.5% on the revenue budget. £20,000 had been carried forward to this year for allocation to transition projects where funding could help develop greater long-term sustainability of functions.

It was explained that £15,000 was available for grants to revenue projects, which was not as much as in previous years. Members were reminded that the Lottery had put more money into the Awards for All scheme which gave grants up to £10,000 for projects with a total value up to £25,000.

During the short discussion, in response to queries from members regarding particular projects mentioned in the agenda report, the Area Development Manager commented:

- Cocklemoor Bridge – our proportion of the funding had not been released to Somerset County Council as there was legal paperwork regarding easements and maintenance that needed to be agreed and signed.
- Langport to Cartgate Cycleway – considerable feasibility work had been conducted over the past years. The main barrier to further progress was the lack of clarity on future ownership, and the means to maintain the pathway should it be created. If this could be resolved, further work would be worthwhile to continue. The project would be kept under review.

- Where projects were led by SSDC, tenders were dealt with by SSDC, but where a community led a project they were responsible for tendering or obtaining quotes representing good value.

RESOLVED: That members:

- Reviewed and commented on the outturn position and explanation of variances from budgets for the financial year 2010/11.
- Noted the position of the Area North Reserve as at 31 March 2011.
- Agreed to carry forward the slippage of £161,034 on the Area North Capital Programme.
- Noted the position of the Play & Youth capital investment programme in Area North;
- Noted the position of the Area North Community Grants budget, including the grants authorised under the Scheme of Delegation by the Area Development Manager (North) in consultation with the ward member(s).

Reason: To inform members of the actual spend against budgets for the 2010/11 of the services over which this Committee exercised financial control.

(Voting: unanimous)

*Nazir Mehrali, Management Accountant
nazir.mehrali@southsomerset.gov.uk or (01935) 462205*

15. Area North Working Groups and Outside Bodies – Appointment of Members 2011/12 (Executive Decision) (Agenda item 12)

(Mistakenly titled for the year 2009/10 in the agenda)

The Committee agreed the appointment of members to serve on the various outside bodies for 2011/12.

RESOLVED: That the following members be appointed to the outside bodies for 2011/12 as listed below.

Reason: To appoint district council representatives to outside organisations.

Outside Body	2011/12 Representatives
Somerset Levels & Moors Executive Group	Pauline Clarke
Langport Abattoir Liaison Group	Roy Mills Derek Yeomans
(Area North) Community Safety Action Panel	Sue Steele
Martock M3 Community Partnership	Graham Middleton
Somerset Waterways Advisory Committee	Patrick Palmer
South Somerset Disability Forum	David Norris
Langport & Somerton Links Service Steering Group	Derek Yeomans
Strode College Community Education Committee	Pauline Clarke
Langport and District Community Youth Centre (Ridgeway Hall)	Roy Mills
Huish Episcopi Sports Centre Management Committee	Roy Mills Terry Mounter

(Voting: unanimous)

*Becky Sanders, Committee Administrator
becky.sanders@southsomerset.gov.uk or (01935) 462055*

16. Revised Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman (Executive Decision) (Agenda item 13)

RESOLVED: That in line with the Development Control Revised Scheme of Delegation, Roy Mills (first substitute) and Terry Mounter (second substitute) be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s) for the year 2011/12.

Reason: To appoint two substitute members for the Chairman and Vice Chairman to make decisions in their absence during 2011/12 in line with the Development Control Scheme of Delegation.

(Voting: unanimous)

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

17. Area North Committee – Forward Plan (Agenda item 14)

The Area Development Manager (North) informed members that there would also be a Community Justice Panel update report in July.

RESOLVED: That the Area North Committee Forward Plan be noted.

*Becky Sanders, Committee Administrator
becky.sanders@southsomerset.gov.uk or (01935) 462077*

18. Planning Appeals (Agenda item 15)

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

The Ward member for Langport and Huish Episcopi commented that some local residents were disappointed that the appeal was lost, and there were still concerns about the land surrounding the building being used for storage. He highlighted that the Inspector had only given a Certificate of Lawfulness for use of the building for storage and not the surrounding land.

RESOLVED: That the report be noted.

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

19. Planning Applications (Agenda item 16)

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).

10/03704/FUL – The erection of 133 dwellings and associated garages, highway works and landscaping on land at Northfield Farm, Northfield, Somerton. Applicant: Bellway Homes.

The Planning Officer introduced the application as shown in the agenda report, and updated members that since the agenda had been published ten further letters of objection and consultation responses had been received. The letters of objection had not raised any additional points to those already included in the agenda report. One letter had asked what public consultation had taken place, to which the Planning Officer informed members of public consultation since September 2010. Another letter had asked that an alternative highway layout was shown to Members, this was shown on a Powerpoint slide. Statutory consultation responses received included updated comments from Somerton Town Council maintaining their original objection and although they welcomed the omission of the three storey element stated the additional information did not address any of their previous concerns. The County Education Officer had confirmed that Huish Academy could adequately cater for extra intake and therefore there was no requirement for financial contributions. The Planning Policy Officer had confirmed that policy RE5 of the Regional Spatial Strategy (RSS) had never been formally adopted and due to the Coalition Government's intended abolition of RSS's we do not have a policy requiring renewable energy in new development and to require such measures does not currently have a policy justification. The emerging Core Strategy would seek to address this deficiency.

With the aid of photographs and plans, the Planning Officer summarised the application and highlighted the extra information sourced since March, when the application had been deferred by the Committee. Key points were explained including:

- The proposed new road junction configuration at Bancombe Road, Northfield and Langport Road to give access to the estate and improve visibility on to Langport Road remained the same as there was no viable alternative.
- SCC Highways maintained their stance of no objections to the proposals.
- The roundabout proposal submitted by the town council would not meet technical specifications. Without encroaching on to third party land, there was inadequate space for a roundabout or a dedicated turn right lane.
- The three storey element had been omitted from the proposal.
- The SSDC Area Engineer, Wessex Water and the Environment Agency had been re-consulted about the surface and foul water drainage concerns, and had raised no objections
- The proposed estate road had been purposely designed to naturally keep traffic speed to a minimum with out the requirement for additional traffic calming measures.
- The proposed density of 34 houses per hectare met national and local policy.
- Garden sizes remained the same.
- There were no planning policy grounds on which to ask that the developer incorporated energy efficiency measures into each property. The affordable housing

element would be built to required national standards (Code Level 3) and these would include some energy efficiency measures.

Town Councillor, Barrie Davies, spoke on behalf of Somerton Town Council and commented their main concerns were drainage issues and the impact on Highways. He asked what safeguards the town would have in the future. Regarding highways, they noted that the technical issues had been resolved but they still had reservations about the traffic management and flow through existing housing estates and the proposed development. It was felt further consideration should be given to maintaining the existing Northfield junction with improvement and realigning the proposed new junction.

Mr S Broom, objector, commented he was speaking in a private capacity as someone who worked at Bancombe Trading Estate. He noted that many people would always want to take the shortest route, and not necessarily the quickest route, and were therefore likely to use the route through the proposed development.

Ms C Randell spoke in objection to the application. She welcomed the development, but expressed concern regarding the road layout and referred to the Bellway development at Paulls Court in Martock, where she commented there were parked cars everywhere. She asked that officers revisited other sites to see what had happened there. Reference was also made about the traffic route to the Bancombe Trading Estate avoiding the proposed development, and the associated traffic at the Cartway Lane junction and additional carbon emissions.

Mr N Cooper, objector, suggested there was no need to change the existing road junction, as there were no statistics to suggest it was dangerous. He commented that he felt the Highways remarks were based upon maintenance rather than design, and the proposed development lacked imagination.

Ms P Short, spoke in objection to the application and commented that the proposed new junction would be dangerous without a dedicated right turn lane. And made reference to the Local Plan.

Mr J Brindly, agent for the applicant, commented that if the application was severely flawed then officers would have recommended refusal. He noted that consultants had been working on the scheme for ten years and had provided information to the Inspector of the Local Plan. He commented that the proposal met all requirements and provided for access.

Following the public speaking, and in response to members comments, officers clarified some points including:

- Drainage for foul water would be adopted by Wessex Water, and the technical detail would have to be agreed by them.
- Improvement to the Bancombe Road, Northfield, Langport Road junction was indicated in the Local Plan
- The development at Paulls Court in Martock was not directly comparable, as it did not provide for a replacement link road.
- Authorities do reflect upon developments and policies adapt over time accordingly where necessary
- Potential increases in carbon emissions for the route to Bancombe Trading Estate were negligible and not a planning consideration relevant to determining the application.
- Several public consultation events had been held and the current proposal for road layout was different to how it was first proposed, which suggested the applicant had taken into account comments made.

- The new proposed junction was designed to cater for up to the largest vehicles, and traffic modelling indicated the junction had sufficient capacity until well beyond 2020.
- Advice indicated that the design was correct for a proposal of this type

Ward Member, Cllr David Norris, commented that the proposal had some good points but he also had a number of concerns about environmental issues, impact on the surrounding area and the general design including:

- Substantial amount of tandem parking which would compound traffic issues
- Location for storage of wheelie bins and distance to the roadside for some properties would cause inconvenience
- Proposed stopping up of existing roads would be inconvenient for many local residents, with probably more existing properties being affected than the number of new properties proposed
- Very few of the properties proposed were orientated for solar gain.

In general he felt the impact of the proposed development upon existing residents was unreasonable, and felt Somerton deserved something better.

The Planning Officer commented that 20 metres was considered to be a reasonable distance to expect a dwelling occupier to move a wheelie bin to the roadside for collection, and looking at the proposal, the dwelling with the furthest distance was approximately 23 metres and therefore the proposal was considered to be acceptable. She explained that there needed to be a balance between inconvenience and harm and this matter was not deemed to be the cause of any harm.

The Area Lead commented that policy ST8 referred to energy conservation and not renewable power generation, which could be argued to be different things.

During the ensuing, lengthy discussion members raised several comments including:

- The proposal appeared to have met with 49 policies
- Highways had considered alternative road layouts
- The design seemed cramped
- Interpretation of policy was subjective
- Development of the site had been planned for ten years
- Concern regarding the potential volume of traffic through the development

The Senior Legal Executive reminded members that if there were minded to refuse the application the reasons had to be specific and relevant.

It was proposed and seconded to approve the application, as per the officer recommendation and conditions set out in the agenda report, and on being put to the vote was carried.

RESOLVED: That planning application 10/03704/FUL be APPROVED subject to the Section 106 Planning Obligations and conditions as stated in the agenda report.

(Voting: 7 in favour, 2 against, 0 abstentions)

11/00475/FUL – Change of use of the Cider Barn to holiday let (Retrospective). The Cider Barn, Little Upton Bridge, Long Sutton. Applicant: Mrs G Rickards.

The Planning Officer introduced the application and used photographs and plans to summarise the application and key points as shown in the agenda report. The application was retrospective and had stemmed from the holiday letting business at the

site. In addition to the Cider Barn there were three houses and a further holiday let on the site.

It was explained that the application was before committee not due to the change of use element but for consideration as to the necessity of a legal agreement to tie the holiday let to one of the buildings on the site. A legal obligation would give more certain control to the building in the future, however guidance and the Planning Inspectorate favoured the use of conditions which would control use of the land. The Area Lead commented that government advice was quite clear on the matter and duplication of controls was not considered appropriate.

Mr G Pringle, objector, commented that other factors needed to be taken into account including extra traffic from the holiday let, the bungalow on site was to be extended and suggested that if all the changes on site had been submitted as a single application it might have been recommended for refusal. He noted there had been no site notice even though the application was near listed buildings. He felt there should be restrictions on the ability for each building to be sold off separately in the future.

Ms G Rickards, applicant, explained that they were running a small holiday letting business, but didn't realise until refurbishing the second building that planning permission was required. She noted that no one had made complaints until the planning permission had been submitted. She commented that the only reason they weren't in favour of a legal agreement was that there were three buildings on site and they didn't know at the current time which one it should be tied to.

In response to comments made, the Area Lead commented that the application covered the full planning permission and included the change of use of the building. He acknowledged that a site notice with regard to 'development affecting the setting of a listed building' had not been posted as it was not considered that the continued use of the converted building would affect the setting of any listed building. He informed members that other buildings on the site were not subject to a tie and it would be difficult to justify why the Cider Barn should be treated differently.

Ward Member, Cllr Shane Pledger, commented that he felt the site should be conditioned and subject to a Section 106 agreement.

During the ensuing discussion some members suggested there would be some merit in trying to tie the whole site together. In response the Area Lead and Senior Legal Executive commented that it couldn't be done by condition and would have to be a legal agreement. Likewise non-fragmentation of the site could not be conditioned. The Area Lead noted that if members wished to tie the Cider Barn to a building they would have to state which building.

Portfolio Holder, Cllr Peter Seib asked members what they felt the benefits were to subjecting the Cider Barn to a tie. On reflection, there were mixed opinions and it was proposed and seconded to approve the application as per the officer recommendation.

RESOLVED: That application 11/00475/FUL be APPROVED subject to the conditions as stated in the agenda report.

(Voting: 5 in favour, 2 against, 2 abstentions)

11/00728/FUL – Erection of a two storey extension with dormer windows front and rear. Old Thatch, Burrow Way, Kingsbury Episcopi. Applicant: Mr P Knight.

The Planning Officer introduced the application and used photographs and plans to summarise the application and key points as shown in the agenda report. It was explained that the proposal would extend the property by about three metres, no windows were planned for the side elevation and therefore no overlooking onto the neighbouring property. The key issue for consideration was the overbearing relationship between two dwellings, which was the reason for the officer recommending refusal.

Mrs J Darby, spoke in objection to the application as the landlord of neighbouring 1 & 2 Box Cottage. She commented that the occupier of No.1 would look at a blank wall from the living room. She also stated a letting agent had already commented the cottage was dark inside. The proposal would make the situation worse.

Mr G Walsh spoke in support of the application and on behalf of the applicant. The proposal would provide a better second bedroom than the galley room currently set into the eaves. The applicant was aware of planning issues and had tried to design the proposal in a sympathetic way with no overlooking into neighbouring property. Pre-planning advice had been sought which indicated the only probable issue was loss of light. They felt the proposal wasn't fundamentally overbearing.

There was a short discussion during which several comments were raised including:

- It's a small cottage
- The proposed extension would be very close to neighbouring property.
- Parked cars alongside Box Cottage would reduce outlook anyway
- Seemed a large extension in relation to the existing property

There were mixed opinions and it was proposed and seconded to agree with the officer recommendation and refuse the application and on being put to the vote was carried.

RESOLVED: That planning application 11/00728/FUL be REFUSED as per the officer recommendation for the following reason:

The proposed extension, which would be very close to the boundary with the adjoining property, represents an un-neighbourly form of development that would be overbearing on the adjacent property and would cause a loss of outlook and hence a loss of residential amenity to the neighbouring property, contrary to Policy ST6 of the South Somerset Local Plan.

(Voting: 5 in favour, 3 against, 0 abstentions)

11/01003/LBC – Erection of porch to front elevation at The Old Bakery, 26 Queen Street, Tintinhull. Applicant: Mr S Clark.

With the aid of slides the Conservation Officer summarised the application as shown in the agenda report. He informed members that since the agenda report had been published a photo taken around the 1920's had been sourced. This indicated there probably had been a porch present on the building, and he had therefore reconsidered his recommendation. The principal of a porch was now considered acceptable but the design proposed needed to be revised to reflect the style representative of the era of the building. However he had been unable to contact the applicant to ascertain if they were willing to negotiate upon the design of the porch.

The Conservation Officer explained that he had been in contact with The Georgian Group for examples of porches on Regency buildings and they had indicated that the porch should have a front enclosure and the material should not be steel as proposed, but iron or timber. The officer recommended that the proposal in its current state be refused but advised members it might be more appropriate to defer the application in order to negotiate with the applicant regarding the design of the porch.

There was a very brief discussion during which members were unanimous in their support to defer the application for negotiations on design and to delegate approval to the Development Manager in conjunction with the Ward Member, subject to no objections being raised by the Conservation Officer.

RESOLVED: That planning application 11/01003/LBC be DEFERRED for negotiations on design as per advice of the Conservation Officer. If a satisfactory design is submitted, approval be delegated to the Development Manager in conjunction with the Ward Member, subject to no objection being raised by the Conservation Officer.

(Voting: unanimous in favour)

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

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Chairman