

Meeting AN 06M 11/12  
Date 26.10.11

### **South Somerset District Council**

**Minutes** of a meeting of the **Area North Committee** held in the Millennium Hall, Seavington on **Wednesday 26 October 2011**.

(2.00pm – 4.40pm)

**Present:**

**Members:** Patrick Palmer (Chairman)

Pauline Clarke	David Norris	Sue Steele
Terry Mounter	Shane Pledger	Barry Walker
Graham Middleton (from 2.10pm)	Jo Roundell Greene	Derek Yeomans
Roy Mills	Sylvia Seal (to 4.35pm)	

**Officers:**

Les Collett	Community Development Officer (North)
Adrian Noon	Area Lead North/East
Claire Alers-Hankey	Planning Officer
Nick Whitsun-Jones	Principal Legal Executive
John Gallimore	Highways, Somerset County Council
Adron Duckworth	Conservation Manager
Greg Venn	Conservation Officer
Teresa Oulds	Community Regeneration Officer (North)
Becky Sanders	Committee Administrator

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

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#### **57. Minutes (Agenda item 1)**

The minutes of the meeting held on 28 September 2011, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

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#### **58. Apologies for Absence (Agenda item 2)**

There were no apologies for absence.

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

Councillor Derek Yeomans, declared that he did not consider he had a personal or prejudicial interest in the Kingsbury Episcopi Shop project, but wished it to be noted that he had given a small donation several years ago in order that the project could get status.

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

Members noted that the next meeting of the Area North Committee would be held on Wednesday 23 November 2011 at the Village Hall, Norton Sub Hamdon.

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

There were no questions from members of the public.

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

The Chairman reminded members that prior to the meeting of Area North Committee on 23 November, there would be a members workshop regarding Section 106 agreements and community facilities. He also reported that the Annual Meeting with North Parish Councils had been well attended and positive comments received.

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

Councillor Pauline Clarke noted that she had attended a recent meeting of the Strode College Community Education Committee but there was nothing specific to report.

Councillor Sylvia Seal commented that she had attended the Gold Star Awards ceremony at the Octagon Theatre which was in recognition of the work of volunteers. It had been an excellent event with many young people in attendance.

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**64. Area North Community Grants – The Kingsbury Episcopi Village Shop (Executive Decision) (Agenda Item 8)**

The Community Development Officer (North) summarised the report as shown in the agenda. He noted that the siting of the container was subject to planning permission, and an application had been submitted.

Pauline Warren, Secretary of Kingsbury Episcopi Community Enterprise Services Ltd, addressed committee and explained that the proposal offered an economical solution to the project. She noted the project was achievable, manageable and well supported by the community.

Ward member, Councillor Derek Yeomans, commented that the project was the result of several years work by dedicated volunteers. The village needed a shop and he was fully supportive of the project.

During the short ensuing discussion members raised several comments to which the Community Development Officer (North) responded that:

- The container should have a lifespan of at least 30 years.
- The village may look to establish a Post Office service in the village in the future
- The applicants were a 'not for profit' organisation. Any profits would go towards a new permanent building or back into the community
- The container was strengthened and fully fitted with shelving, air conditioning and security measures.

Members were unanimous in their support for the project and were content to approve the recommendations as indicated in the agenda report.

**RESOLVED:** That £10,000 be awarded towards the Kingsbury Episcopi Village Shop project to be allocated from the Area North Capital Programme – Local Priorities, subject to the standard terms and conditions for SSDC Community Grants, and the following special conditions:

- a) The written approval of South Somerset District Council regarding the future application of funds is required if the group dissolves and the asset is re-sold or used for other purposes.
- b) The written approval of South Somerset District Council to the agreement between the Kingsbury Episcopi Amenities Fund & Improvements Committee and Kingsbury Community Enterprise Ltd to site the shop on land owned by the Kingsbury Episcopi Amenities Fund & Improvements Committee.
- c) The award is subject to appropriate planning consent being granted, and the award of this grant is made without prejudice. The applicant to note that this decision doesn't not imply or confer consents.

Reason: To determine an application for financial support submitted by Kingsbury Episcopi Community Enterprise Services Ltd.

*(Voting: unanimous in favour)*

*Les Collett, Community Development Officer (North)  
leslie.collett@southsomerset.gov.uk or (01935) 462249*

## 65. Area North Committee – Forward Plan (Agenda item 9)

The Committee Administrator noted that the Draft Core Strategy was provisionally scheduled for 25 January 2012, and other reports that had previously been scheduled for January had been moved to February 2012. Some members expressed their disappointment that there was still no confirmed date for the Assessment Management Strategy.

**RESOLVED:** That members noted the Forward Plan.

*Becky Sanders, Committee Administrator  
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## 66. Planning Appeals (Agenda item 10)

The agenda report was noted, which informed members of planning appeals that were lodged, dismissed or allowed.

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

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

## 67. Planning Applications (Agenda item 11)

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).

### **10/02027/FUL – Use of existing building for B2 use, refurbishment and extension to existing building and associated improvements to access and landscaping on land OS 3769 part, Badgers Cross Lane, Somerton. Applicant: Mr T Canvin.**

The Planning Officer introduced the application as shown in the agenda. She updated members on the key considerations of the proposal and also highlighted issues raised in one of the identical letters of objection, as this covered the issues succinctly. The Highway Authority objection on the application was based upon the unsustainable location of the site, and due to the increased traffic and type of traffic that could be associated with B2 usage. Key considerations for the application were:

- Highways objection – suitability of surrounding roads and junctions with increase in HGVs
- Re-use of redundant building in the countryside

Cllr Barrie Davis on behalf of Somerton Town Council referred to their detailed report as mentioned on page 29 of the agenda report. He raised several concerns including the lack of detail on times of use of the site, issues about contaminated land, access and highways issues and the need for junction improvements.

Mr J Dann, objector, commented about recent accidents on the nearby roads and that speeds were often exceeded. He noted that HGVs already used the site and Badgers Cross residents were concerned about safety along the lanes.

Mr M Bellamy, highway consultant for the applicant, noted that the main concerns appeared to be regarding extra HGV traffic using a substandard junction with the A372. His modelling indicated an estimated maximum of eight additional movements per day. The business intending to use the site was likely to only have an additional three HGV movements per month and therefore he considered the impact to be negligible.

Mr N Laurence, spoke in support of the application as the business intending to use the site. His business required larger premises and the application site was ideal. He commented that there would be minimal extra traffic and that he was aware of responsibilities to local community.

Mr S Travers, agent for the applicant, commented that the site had been used for industrial use in the past. The proposal sought to improve the existing building and access to meet modern standards.

Ward member, Councillor David Norris, commented that the application would tidy up the site and many of the issues raised were manageable. However he was concerned about the Class B2 use in the future. He acknowledged that traffic movements were anticipated to be low for the intended stone masonry business, but a future business could generate a different type or more traffic.

Ward member, Councillor Pauline Clarke, shared concerns made by objectors regarding if traffic were to use the centre of Somerton and along B3165/Sutton Road. However she did not have the same concerns if the number of vehicles suggested by the applicant used Watts Quarry Lane and the A372. She noted the previous uses of the site including a commercial laundry and the storage and repair of damaged vehicles. She acknowledged the fears of local people and suggested that if members were minded to approve the application there should be appropriate conditions regarding working hours, noise, dust and landscaping. She concurred that any future use needed to be considered.

During the ensuing discussion members raised several comments including:

- The site had had various uses over the years, and queried if it had set a precedent for B2 usage.
- Proposal would bring a derelict site back into use.
- Comments from the Highway Authority about usage of Watts Quarry Lane were not the responsibility of the applicant. There were no restrictions on usage of the lane.
- If junction of Watts Quarry Lane with A372 is substandard it should be remedied by the Highway Authority as any traffic could use the road.
- The width of Watts Quarry Lane does not allow for two HGVs to pass.

In response to comments made, the Area Lead and Planning Officer responded:

- The proposal was for general B2 use, and any business in that class could operate.
- Traffic data from the Highway Authority suggested B2 use could generate up to 37 vehicular movements per day.
- It would be possible to restrict use within the B2 class to limit traffic movements.
- There could be conditions for landscaping, operating hours, indoor working only to minimise dust and a requirement for a noise mitigation strategy

There was a brief discussion about whether the use within the B2 class should be restricted or if the size of the application site itself would naturally limit its type of use. Most members were of the opinion that the size of the site, as indicated by the red line on the application would naturally restrict its use.

Officers suggested a justification and appropriate conditions if members were minded to approve the application. The suggested conditions being to cover: time limit, external materials, landscaping, contaminated land, hours of operation, hours of delivery and despatch, waste management, works to be carried out indoors only, noise mitigation strategy, no retail sales, no burning, access and visibility splays, and approved plans. The justification would be reuse of the previously developed site would not have any detrimental impact on visual or residential amenity and would not be prejudicial to highways safety. As such the proposal complies with policies ST3, ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Structure Plan.

It was proposed and seconded to approve the application, contrary to the officer's recommendation, subject to the conditions and justification as suggested by the officers. On being put to the vote, was carried ten in favour, one to refuse and one abstention.

**RESOLVED:** That planning application 10/02027/FUL be APPROVED, contrary to the officer's recommendation.

Justification:

The reuse of this previously developed site would not have any detrimental impact on visual or residential amenity and would not be

prejudicial to highways safety. As such the proposal complies with policies ST3, ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Structure Plan.

Subject to conditions to cover

- Time limit
- External materials
- Landscaping
- Contaminated land
- Hours of operation
- Hours of deliver and despatch
- Waste management
- Works to be carried out indoors only
- Noise strategy
- No retail sales
- No burning
- Access and visibility splays in accordance with submitted details
- Approved plans

*(Voting: 10 in favour, 1 to refuse, 1 abstention)*

**11/02587/FUL - Erection of an extension to building for storage and production of cider at Downslade Quarry, Hermitage Road, Upton, Long Sutton.**

**Applicant: Mr M Wood.**

The Planning Officer summarised the application as shown in the agenda. She clarified that the reason the application had been referred to committee was for the highways issues to be discussed, and not for the reason indicated in the report.

It was confirmed that the existing flagstone business would continue in the main building, and that this application sought permission to extend the building to provide premises for a new, separate business. The applicant had indicated there would only be two lorry deliveries a year of apples to the site. Key considerations were the principle of a new business in the countryside and the Highways objections including inadequate visibility splays, poor approach road and an unsustainable location. Due to the objections raised by Highways the officer recommendation was to refuse the application.

Mr C Miller, agent, commented that the recommendation to refuse was based solely upon comments made by Highways, and found it difficult to understand why they objected to this proposal but not to the previous application for the existing building. He noted there would be minimal traffic, no retail on site, and cider taken away from the site would be in existing trips from neighbouring business. He commented there was considerable local support for the proposal.

Ward Member, Councillor Shane Pledger, considered there would be minimal traffic associated with the proposal and that a local, traditional business should be supported.

During a short discussion, members could see little reason to refuse the application and were of the opinion there would be negligible impact on the local area of approving the application.

In response the Area Lead indicated that the justification would be that the proposal would not have a detrimental impact on local amenities or be prejudicial to highways safety. As such the proposal complies with policies ST3, ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Structure

Plan. The Planning Officer suggested that there were conditions to cover: time limit, gas protection measure, use solely for storage and production of cider, no retail sales, external lighting to be agreed and approved plans.

It was proposed and seconded to approve the application, contrary to the officer's recommendation, subject to the conditions and justification as suggested by the officers. On being put to the vote, was carried unanimously in favour.

**RESOLVED:** That planning application 11/02587/FUL be APPROVED, contrary to the officer's recommendation.

#### Justification

The proposed extension to accommodate a cider producing business would not have a detrimental impact on local amenities or be prejudicial to highways safety. As such the proposal complies with policies ST3, ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Structure Plan.

#### Subject to conditions to cover:

- Time limit
- Gas protection measure
- Use solely for storage and production of cider
- No retail sales
- External lighting to be agreed
- Approved plans

*(Voting: unanimous in favour)*

### **11/02173/COU – Change of use of two sections of a cubicle building from agricultural to the storage of funeral vehicles (retrospective) at Lower Listock Farm, Listock Lane, North Curry. Applicant: Mr Wheller.**

The Planning Officer summarised the application as shown in the agenda, and clarified to members that the site was near to the district boundary with Taunton Deane Borough Council. She explained that the application was retrospective and that the funeral vehicles were stored in a redundant agricultural building that could not be used for grain storage as there was no damp-proofing. Key issues were considered to be:

- Highway objections – access onto county route, substandard junction at A378 and unsustainable location.
- Local planning policies ME5 and ST3 supported the proposal.

Mr C Miller, on behalf of the applicant, stressed that the visibility splays required on his land at the junction with the A378 wouldn't harm the countryside. He also commented that the use didn't generate any substantial increase in traffic.

Ward member, Councillor Sue Steele, expressed her support for the application.

Members briefly discussed the application and were content that it be approved as per the officer recommendation and conditions indicated in the agenda report.

**RESOLVED:** That planning application 11/02173/COU be APPROVED subject to the conditions outlined in the agenda report as follows.

#### Justification

The proposed change of use would have no adverse impact on the setting and appearance of the area, and would not cause any undue harm to the amenities of local residents or highway safety, in accordance with the aims and objectives of policies ST5, ST6, ST3 and ME5 of the South Somerset Local Plan 2006 and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Subject to the following conditions:

1. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 01 June 2000.
2. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge for a minimum of 215 metres to either side of the junction of the unclassified road leading to Lower Listock Farm with the A378. Such visibility shall be fully provided within 1 month of the date of this permission and shall thereafter be maintained at all times.
3. The premises shall be used for the storage of up to 14 hearses and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

*(Voting: unanimous in favour)*

*David Norris, Development Manager  
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## **68. CONFIDENTIAL – Exclusion of Press and Public (Agenda item 12)**

- RESOLVED:** That the following item be considered in closed session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs:
- 3, information relating to the financial or business affairs of any particular person (including the authority holding that information)
  - 6, information which reveals that the authority proposes:
    - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (b) to make an order or direction under any enactment.

*(Voting: unanimous)*



**69. Historic Buildings at Risk (Confidential) (Agenda item 13)**

The Conservation Manager and Conservation Officer explained the work of the Conservation Team and updated members on current cases of historic buildings at risk in Area North. It was noted that since publication of the agenda, English Heritage had published the 2011 version of the national Heritage at Risk register, in which five properties within South Somerset had been removed, as they had been resolved.

Members requested an update report from the Assistant Director (Legal and Corporate Services) regarding action at a specific property.

Members thanked the officers for their informative report and were supportive of the approach taken by the team.

**RESOLVED:** That the report be noted

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*Chairman*