

Meeting AN 07M 11/12
Date 23.11.11

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the Village Hall, Norton Sub Hamdon on **Wednesday 23 November 2011**.

(2.00pm – 4.50pm)

Present:

Members: Patrick Palmer (Chairman)

Pauline Clarke

Roy Mills

Jo Roundell Greene

Terry Mounter

David Norris

Sylvia Seal

Graham Middleton

Shane Pledger

Derek Yeomans

Also present: Cllr John Bailey, SCC (until 3.20pm)

Officers:

Steve Joel

Assistant Director (Health and Well-Being)

Lynda Pincombe

Community Health and Leisure Manager

Charlotte Jones

Area Development Manager (North)

Adrian Noon

Area Lead North/East

Dominic Heath-Coleman

Planning Assistant

Claire Alers-Hankey

Planning Officer

Paul Sanders

Senior Environmental Protection 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.

70. Minutes (Agenda item 1)

The minutes of the meeting held on 26 October 2011, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

71. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Sue Steele and Paul Thompson.

72. Declarations of Interest (Agenda item 3)

Councillor Roy Mills declared a personal interest in agenda item 8, Huish Episcopi Sport and Leisure Facility Update, as he was a governor of Huish Academy.

73. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of the Area North Committee would be held on Wednesday 14 December 2011 at the Village Hall, Long Sutton.

74. Public Question Time (Agenda item 5)

There were no questions from members of the public.

75. Chairman's Announcements (Agenda item 6)

There were no Chairman's announcements.

76. Reports from Members (Agenda item 7)

There were no reports from members.

77. Huish Episcopi – Sport and Leisure Facility Update (Agenda item 8)

The Assistant Director (Health and Well-Being) introduced the report as shown in the agenda. He highlighted that there had been significant changes in how the school was managed, and that there was now a need to update the dual-use agreement of 1991. The school was now an Academy and had also taken the decision to manage the Leisure Centre itself and its associated liabilities.

It was noted that since the agenda had been published, the Department for Education had directed that a separate company needed to be established for the Leisure Centre. This company would replace the existing management committee of the Leisure Centre. The Academy Governing Body were still to consider the structure and governance arrangements for the company.

During discussion members raised several comments regarding the content of the new proposed agreement and management of the Leisure Centre including:

- Public use of the Leisure Centre should be maintained to at least the existing level, and if possible extended
- It would be essential for future maintenance liabilities and responsibilities to be clearly defined
- There was no representation by local parish councils on the current or proposed management committees

In response to members comments the Assistant Director (Health and Well-Being) clarified that:

- It was not necessarily essential to have voting through the dual-use agreement, however, it would be crucial to specify the level and way community use must be provided.
- The lease of the facility had been transferred to the Huish Episcopi Academy on a 125 year lease
- As an Academy, it was now independent of the Local Education Authority, and able to make its own decisions

- It would be important to maintain the condition of the buildings used by the community through ensuring that the right approach to and financing of planned maintenance was detailed in the agreement.
- Parish Councils had not made financial contributions to the facility for a number of years. Previously a view had been taken that those parties who did not contribute financially would not be on the committee. There was perhaps a new opportunity now to encourage local parish councils to contribute and become involved again. This would be raised with the Academy.
- Draft documents regarding new governance arrangements had not been drawn up yet. Discussions were currently underway regarding membership to the Board.

Members were content that the agreement, when drafted, should go to both parties for endorsement. The feasibility of a new artificial grass pitch was also noted. It was agreed that a working group should be formed to oversee the update of the agreement and the feasibility study for the artificial pitch. Councillors Derek Yeomans, Terry Mounter, Shane Pledger and Pauline Clarke indicated their interest in the group. On being put to the vote Councillors Derek Yeomans and Shane Pledger were appointed to the working group.

RESOLVED: It was resolved that:

- (1) The need to update the 1991 Agreement relating to the joint use of facilities at the Huish Academy be noted.
- (2) Comments were made on the future management and control of community use.
- (3) It was noted the Academy and the Council had agreed to undertake a feasibility study to assess the viability of the potential development of a new artificial grass pitch.
- (4) Councillors Derek Yeomans and Shane Pledger be appointed to form a working group to oversee:
 - a) The update of the 1991 Agreement.
 - b) The feasibility study to assess the viability of a new artificial grass pitch and community use of the playing pitches.
- (5) Agree that the revised Agreement and completed feasibility study are brought back to Area North Committee for final consideration and approval.

(Voting: 7 for Yeomans, 7 for Pledger, 3 for Clarke and 1 for Mounter)

*Steve Joel, Assistant Director (Health and Well-Being)
steve.joel@southsomerset.gov.uk or 01935 462278*

78. Community Health & Leisure Service Update (Agenda item 9)

The Community Health and Leisure Manager summarised her report as shown in the agenda. As part of her comprehensive presentation members noted key information and including:

- The Community Bus had been transferred to a third party
- A Multi Use Games Area (MUGA) in Martock was currently being installed

- Gold Star Awards – Volunteer Group of the Year, had been won by Martock Youth Parish Council, and Josh Aldridge, a volunteer ranger at Ham Hill Country Park, had won Youth Volunteer of the Year.
- Olympic Torch – an initial meeting had been held with the town and parish councils involved to think about local implications of the event.

Portfolio Holder, Councillor Sylvia Seal, commented that the department were often very successful in attracting funding and had raised substantial sums through external sources. She congratulated the Community Health and Leisure team for their dedication and hard work.

During a short discussion members commended the work of the team and acknowledged the importance of the team to the authority as a whole. Members thanked the Community Health and Leisure Manager for her informative report.

- RESOLVED:**
- (1) That the report be noted.
 - (2) That members contact the Community Health and Leisure Manager/team if they wish to discuss the current service delivery programme or recommend future priorities.

*Lynda Pincombe, Community Health and Leisure Manager
lynda.pincombe@southsomerset.gov.uk or (01935) 462614*

79. Area North Local Priorities 2011-12 (Agenda item 10)

The Area Development Manager (North) introduced the report as shown in the agenda and explained the background to the revised top three priorities of jobs, affordable housing and self-help, drawn from evidence of community consultation and the current range of local priorities supported by ward members. She reminded members that a community development approach offered a flexible way of working tailored to local communities, and that priorities could be financially supported by the Capital Programme and Community Grants budget.

During the ensuing brief discussion, members queried the use of the word 'sustainability' within the priorities, as it was often open to interpretation under different definitions. It was suggested that for clarity sustainability in this context was to promote long term social, economic and environmental well-being. A member also suggested that the jobs priority included the wording '...promoting tourism and enhancing the offer to visitors.'

Members were unanimous in their support for endorsing the revised priorities, subject to the minor changes in wording of the narrative for the jobs priority.

- RESOLVED:**
- (1) That the top three priorities for Area North over the coming year be:
 - a) **JOBS** – we will aim to add value to the economy in Area North, through promoting sustainable economic growth, assisting with the delivery of the Somerset Rural Broadband programme, and promoting tourism and enhancing the offer to visitors.
 - b) **AFFORDABLE HOUSING** – we will assist with the delivery of affordable homes in Area North, including support to test and develop new models.
 - c) **SELF-HELP** – we will promote greater levels of self-help to promote the sustainability of local services and facilities for all ages.

- (2) That the progress of projects and programme of support be noted.

(Voting: Unanimous in favour)

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

80. Area North 2011/12 Budget Monitoring Report for the Period Ending 30 September 2011 (Executive Decision) (Agenda item 11)

The Area Development Manager (North) introduced the report as shown in the agenda and reminded members that Area North Committee held a fund for transition projects. £17,500 remained allocated, and she recommended that all funding was allocated by the end of the current financial year. She highlighted the proposed revisions to the Area Reserve and the Capital Programme and noted that members were being asked to agree an in principle allocation of £20,000 to promote local economic well-being in Area North. A detailed capital appraisal would be prepared if members agreed to the allocation

In response to a query from a member the Chairman confirmed that the Turn Hill Lengthsman Scheme was in year two of a three-year Service Level Agreement (SLA) to support the establishment of the scheme. The County Council (SCC) had withdrawn all funding from 2012, and the corporate budget was proposed as a saving in the Medium Term Financial Plan. The contribution from Area North would be honoured subject to the SLA as a local priority, although SSDC would not cover any shortfall from SCC. .

- RESOLVED:**
- (1) That the current financial position on Area North budgets be noted.
 - (2) The position of the Area North Reserve as at 30th September 2011 be noted, and the alterations to the Area Reserve allocation be endorsed.
 - (3) The position of the Area North Capital Programme for 2011/12 to 2015/16 as at 30th September 2011 be noted, and the revisions to the Capital Programme be endorsed.
 - (4) The position of the Play & Youth capital investment programme in Area North be noted.
 - (5) 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.

Reason: To update on the current financial position of the Area North Committee as at 30 September 2011.

(Voting: Unanimous in favour)

*Nazir Mehrali, Management Accountant
nazir.mehralli@southsomerset.gov.uk or 01935 462205*

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

The Area Development Manager (North) commented there was uncertainty about reports due at Area North Committee in January due to the draft Core Strategy. She suggested that a short presentation from the Seavington Community Shop and Café project would be of interest and this was agreed.

RESOLVED: That the Forward Plan be noted.

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

82. Planning Appeals (Agenda item 13)

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*

83. 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).

11/03267/FUL – Erection of a single storey and second storey extension to dwellinghouse at 21 Birch Road, Martock.

Applicant: Mr and Mrs S Thorne.

The Planning Assistant introduced the application as shown in the agenda. He noted that the site plan in the agenda was inaccurate, as it indicated a rear extension and not a front and side extension which was clarified to members on a slide.

During the presentation, the Planning Assistant indicated that no.19 had a similar extension to that proposed in this application and highlighted the relationship between the two properties, with no.21 being set back from No.19. It was also noted that two properties in the same road had already constructed extensions to form a terrace. The key considerations were:

- impact on residential amenity by way of overbearing and overshadowing
- impact on the character of the area with particular reference to any terracing effect

The Planning Assistant commented that neighbours on both sides of the site and the parish council had raised objections regarding loss of light and overbearing. However due to the orientation and size of the proposed extension it was not considered enough to refuse the application. He noted that there was a very small gap between the two properties and therefore the proposed extension would not technically form a terrace, but acknowledged it would create a terracing effect. An objection had also been raised about

maintenance due to the close proximity of the proposal, but it was considered the situation would be no worse than that already existing at ground floor level. As there was no demonstrable harm to residential amenity or character of the area, the application was recommended for approval.

Mr P Cockle, spoke in objection on behalf of both neighbours, and commented that in effect their properties would become terraced. He noted his property and no.21 were not aligned and therefore they would have a length of solid wall very close to a window with subsequent loss of light. He noted there was only a two inch gap between their property and the proposed extension of no.21 which would cause maintenance issues, but no solutions had been offered.

The Area Lead clarified to members that revised drawings had been received indicating that the roof height would be in alignment with no.19. In response to a question, the Area Lead clarified that Building Control could give expert advice regarding potential dampness due to the small gap between the properties. He commented that there was no reason to assume there would be a damp problem with modern construction methods.

The Chairman, also a ward member, commented that the road had originally been designed as semi detached properties and it would be a shame to terrace.

During the ensuing lively discussion members raised several comments including:

- The extension at no.19 should not preclude a similar extension at the neighbouring property?
- Acknowledgement of concerns about the narrow gap between the properties and future maintenance, but also that it was not a planning matter.
- Difficult to justify a reason for refusal, when similar extensions already along the same road.
- The small gap between the properties meant that the properties were not terraced
- Difficult to approve something that could potentially not be fully maintained
- The neighbouring extension should not be considered as part of this application.

The Area Lead explained that the terracing effect created by the proposal would have limited visibility along the street scene until almost directly outside the properties. The officer's conclusion had been partly made by assessing the impact of the limited view. He clarified that the balcony area of no.19 was classed as amenity space and was therefore a material consideration.

The Senior Legal Executive clarified to members that the small gap between the two properties was not a material planning consideration and could not be taken into account.

It was proposed to refuse the application due to the size, position and relationship to the neighbouring property that would give rise to an unacceptable loss of amenity due to over-shadowing and loss of light. On being put to the vote this was lost, 4 in favour, 5 against and 1 abstention.

It was then proposed to approve the application, as per the officer recommendation, subject to the conditions, and for the reason, as shown in the agenda report.

RESOLVED: That planning application 11/03267/FUL be APPROVED, as per the officer recommendation and subject to the conditions as outlined in the agenda report.

(Voting: 5 in favour, 4 against, 1 abstention)

**09/04320/FUL – Continued use of existing agricultural building and premises to light industrial use, extension to parking/turning area, mixers and associated works on land adjacent to Belmont House, High Street, Aller.
Applicant: Mr N Robertson.**

The Planning Officer reminded members of the application, and that it had been deferred at the August meeting for further information regarding noise mitigation. She updated members that a further letter had been received raising objections about traffic and that works had already spread further across the site.

It was highlighted that since the application was last considered, further discussions had taken place between the applicant and the Senior Environmental Protection Officer. The Senior Environmental Protection Officer was now satisfied that appropriate measures could be taken to restrict the impact of the development upon the residential amenity of the area, and therefore no longer recommended refusal of the application.

The Planning Officer informed members that the applicant had requested the last sentence of condition 12 to be removed - *Such use as hereby approved shall cease immediately on Star Rubber Environmental vacating or otherwise disposing of its legal interest in the said land and the use of the site shall revert to agricultural.* The SSDC Legal team had no objections to the sentence being removed. She also noted that June 2001 mentioned in condition 11 should have read June 2011.

Mr D Mayor, objector, noted that there had been some dialogue between the applicant and objectors since August. He was grateful that some works were already being done to minimise impact on residents.

Mr M Williams, agent, welcomed the new officer recommendation of approval. He noted that meetings had been held with the Environmental Protection Officer, and it was now clear what noise mitigation measures were required. The remaining concerns of the Committee from August had been resolved, and he hoped that the application would be approved.

Ward member, Councillor Shane Pledger commented that many measures had been taken and there was now minimal noise. He felt local businesses should be supported.

There was a very brief discussion in which members expressed their support for the application and acknowledged the discussions that had taken place between officers and applicant to resolve issues. Members were content to approve the application, as per the officer recommendation, subject to the slightly amended wording of conditions 11 and 12 as suggested by the Planning Officer.

RESOLVED: That application 09/04320/FUL be APPROVED, as per the officer recommendation and subject to the conditions outlined in the agenda report but with the amended wording of conditions 11 and 12 to read as follows:

- 11) Full details of the internal and external noise attenuation measures a) that have already been implemented, as referred to the JSP Consultants further environmental noise assessment dated 27th June 2011, and b) that are yet to be implemented, shall be submitted to the Local Planning Authority within three months of the date of this permission, with additional agreed measures being implemented within a timescale to be agreed with the Local Planning Authority. All of the agreed measures shall be maintained

thereafter from the date they are implemented. Such measures shall include:

- 1) the erection of a 1.8m high sound barrier from the rear of the warehouse to the tumblers
- 2) the warehouse doors to be kept closed at all times when plant and machinery inside the building is in operation
- 3) the gates between Belmont House and the application site to remain closed at all times when any operations on the application site are undertaken.

Reason: In the interest of local amenities in accordance with Policies ST6 and EP2 of the South Somerset Local Plan.

- 12) The use hereby permitted shall be strictly limited to the use of the site for the manufacture of rubber based surfacing material by Star Rubber Environmental Limited (or any successor company to it) and not for any other purpose or use within Class B of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To prevent changes to unacceptable uses, in the interests of residential amenity and highway safety, in accordance with Policy 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)

11/02841/FUL – Change of use of 4 bedroom residential property to a 3 bed Bed & Breakfast with one bed owners accommodation and creation of parking at 18 Palmer Street, South Petherton.

Applicant: Miss K Russell

The Planning Officer summarised the report as shown in the agenda. It was noted that the proposed Bed & Breakfast business would use the existing access. The applicant had also indicated a willingness to reduce the height of the wall in their ownership to improve visibility onto the highway, and to relocate access gates further inward to prevent vehicles waiting on the highway for the gates to open.

Use of the property as a Bed & Breakfast was deemed to be acceptable. The Highway Authority had raised objections due to the substandard access and poor visibility splays. It was noted that traffic along Palmer Street would be moving slowly due to the sharp bend west of the application site. The Planning Officer had concluded the proposal would not be detrimental to highway safety and recommended the application for approval.

Miss K Russell, applicant, commented that she was experienced in running a successful Bed & Breakfast business, and hoped to bring in business to South Petherton. She hoped the application would be approved.

During a very brief discussion, members expressed a few comments including:

- Traffic would be moving slowly due to the bend with Compton Road
- If the applicant had a large family, traffic movements could be higher than that associated with a Bed & Breakfast
- Entrance visibility would be improved
- The Highway Authority objection seem extraordinary

Members were unanimous in their support to approve the application, as per the officer recommendation stated in the agenda report.

RESOLVED: That planning application 11/02841/FUL be APPROVED, as per the officer recommendation and subject to the conditions outlined in the agenda report.

(Voting: Unanimous in favour)

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Chairman