

Meeting AN 10M 12/13
Date 23.01.12

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Village Hall, Long Sutton on **Wednesday 23 January 2013**.

(2.00pm – 4.15pm)

Present:

Members: Patrick Palmer (Chairman)

Pauline Clarke
Roy Mills
Terry Mounter

David Norris
Shane Pledger
Jo Roundell Greene

Sylvia Seal
Paul Thompson
Derek Yeomans

Officers:

Charlotte Jones
Teresa Oulds
Adrian Noon
Andy Cato
Nick Whitsun Jones
Becky Sanders

Area Development Manager (North)
Community Regeneration Officer (North)
Area Lead North /East (Development Management)
Area Lead South (Development Management)
Principal Legal Executive
Democratic Services Officer

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

114. Minutes (Agenda item 1)

The minutes of the meeting held on 19 December 2012, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

115. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Graham Middleton and Sue Steele.

116. Declarations of Interest (Agenda item 3)

There were no declarations of interest.

117. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of Area North Committee would be at 2.00pm on Wednesday 27 February 2013 at the Village Hall, Norton Sub Hamdon.

118. Public Question Time (Agenda item 5)

There were no questions from members of the public.

119. Chairman's Announcements (Agenda item 6)

There were no Chairman's announcements.

120. Reports from Members (Agenda item 7)

There were no reports from members.

121. Flooding Update (Agenda item 8)

The Area Development Manager (North) provided members with a verbal update regarding the current flooding situation. Members were asked to note comments from the Civil Contingencies and Business Continuity Manager, the Streetscene Manager and an SSDC Engineer which included:

- The clean-up was underway – particular issues or requests from councillors could be discussed with the Streetscene team.
- The SSDC sandbag delivery service could only be a limited emergency response for residents that were in immediate danger of flooding. All reasonable measures to prevent flooding should be taken by householders.
- Communities in areas known to flood should consider having a parish plan and possibly encouraging residents to have flood protection solutions easily available in case of a flooding event.
- Help to develop a local response for a range of 'contingencies' within neighbourhoods/parishes was available from the Civil Contingencies and Business Continuity Manager. Advice and guidance for households was available on-line and had also been emailed to parish clerks.
- Following the recent flooding events at Muchelney, a public meeting had been held with Environment Agency (EA), Somerset County Council (SCC) and South Somerset District Council officers in attendance. The outcome was that the EA would meet with residents and/or community representatives to establish more about the specific problems, look at individual situations and facilitate the setting up of a community plan.

The Area Development Manager reminded members of the proposed joint scrutiny event between SCC and the district councils. The SSDC Scrutiny Manager was leading on the arrangements for a county wide 'flood summit'.

During a lively discussion, members made several comments including:

- something had to be done about the flooding situation
- as part of the joint scrutiny process, it would be useful to know what had been achieved and learned by the Parrett Catchment Project before it ceased.
- Pressure should be put on the Environment Agency to do more about the flooding
- Design of future housing development needed to be carefully considered

All members felt strongly that a flooding update needed to be provided to full council so that it could be fully debated at the next available opportunity, ideally at the next meeting in February. The Area Development Manager (North) suggested that the Chairman could

initially raise the matter at District Executive. She also commented that she would take advice about how, and when, to get the topic discussed at full council.

The Area Development Manager encouraged members to be actively involved and feed in their comments to the Scrutiny review.

*Pam Harvey, Civil Contingencies & Business Continuity Manager
pam.harvey@southsomerset.gov.uk or (01935) 462303*

122. County Highway Authority Report – Area North (Agenda item 9)

The Highways Officer (SCC) had again tendered his apologies for the meeting due to the adverse weather.

As this half-yearly report had been deferred from the November meeting, members agreed to note the report, but requested an updated report and attendance from the Area Highways service at the next available opportunity.

During a brief discussion, several members made comments including:

- Gratitude for work in Montacute
- Gratitude for addressing problems in Martock, although regrettable not done earlier
- Resurfacing of Bow Street, Langport was still requiring a solution
- Bow Bridge, Langport was deteriorating and needed maintenance, but acknowledgement this may not all be a county council responsibility.

It was agreed that the comments would be forwarded to the Assistant Highway Service Manager.

RESOLVED: That the report be noted.

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

123. Somerset Minerals Plan – Preferred Options (Agenda item 10)

The Interim Minerals and Waste Policy Manager had tendered his apologies for the meeting due to the adverse weather, so there was no presentation.

The Area Development Manager highlighted to members the key areas affected by the proposed Somerset Minerals Plan, and also drew members attention to the drop-in session at Langport on 21 February 2013.

Members were content to note the report.

RESOLVED: It was resolved that:

- 1) The report be noted
- 2) Members be encouraged to respond individually to the consultation.
- 3) Members note the formal response from SSDC would be made by the Portfolio Holder (Finance and Spatial Planning).

*Guy Robinson, interim Minerals and Waste Policy Manager (SCC)
grobenson@somerset.gov.uk or 01823 357140*

**124. SSDC Welfare Benefit Work in South Somerset (Executive Decision)
(Agenda item 11)**

The Senior Housing Support Officer had tendered her apologies for the meeting due to the adverse weather.

The Community Regeneration Officer (North) presented the report as shown in the agenda and highlighted to members the work achieved in Area North for the year 2011/12. It was explained that the work contributed towards preventing debt or further debt. The figures in the report indicated the enhanced service had made a difference within Area North. Members were requested to consider allocating funding for the continuation of the additional welfare benefit take up advice in the area for a further year.

During a short discussion members unanimously expressed their support for the service and the proposal, and made several comments including:

- Work with a client in Wessex ward had been invaluable
- Work of the team is exceptional
- With changes coming forward regarding benefits, the work needed to be supported
- In principle, it should not be an SSDC service, but the work is clearly valuable and should be supported.

The Chairman thanked the officer for presenting the report.

RESOLVED: It was resolved that:

- 1) The report be noted.
- 2) The allocation of £8,000 from the Area North Reserve be approved, to fund the continuation of additional welfare benefit take-up advice by the Housing and Welfare Service within Area North for a further year from April 2013.

Reason: To consider the allocation of funding for additional welfare benefit take-up advice within Area North.

(Voting: unanimous)

*Catherine Hansford, Senior Housing Support Officer, Welfare Benefits
catherine.hansford@southsomerset.gov.uk or (01935) 462737*

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

The Area Development Manager (North) had no updates to the Forward Plan. A member asked about the progress of the Asset Management Strategy. In response the Area Development Manager (North) commented that she would circulate the latest list of assets in Area North and would get an update from the Assistant Director (Finance and Corporate Services) regarding the strategy.

RESOLVED: That the Forward Plan be noted.

*Becky Sanders, Committee Administrator
becky.sanders@southsomerset.gov.uk or (01935) 462596*

126. 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

127. Planning Applications (Agenda item 14)

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

12/02139 – Section 73A application to vary condition 23 (approved plans) of 10/05082/FUL to reflect development as built and update other conditions to reflect matters already agreed by discharge of conditions on land to the west of Hirst Cottage, Middle Street, Bower Hinton. Applicant: Summerfield SD3 Ltd.

The Area Lead (North/East) introduced the application as detailed in the agenda report. He updated members that Legal Services had asked it to be highlighted that this was a Section 73A application and not a Section 73 application. It was explained that a Section 73A application applied where the development had already been carried out. He also commented that the Conservation Officer had been re-consulted. The Conservation Officer supported the officer recommendation but had raised concerns about the chimney cappings and suggested that the lintels on barn B could be coloured the same as the cladding/boarding, but it was not felt the window design was of such a detriment as to recommend refusal.

The Area Lead (North/East) explained that the development as implemented had some deviations from the agreed conditions. This new application sought to regularise the development as built, and the officer recommendation was for approval. One property in the development was in third party ownership and was not subject to this application. With the aid of photographs and plans he presented to members the elements of the deviations. He explained that the bat dormer had not been installed by agreement with Natural England, and bat tiles had been installed instead which were to the satisfaction of the SSDC Ecologist and Natural England. Key issues to be considered were ecology, visual impact and the impact on the conservation area.

Mr A Hawes, objector, felt the application should not have been approved under officer delegation, and that the application was a mockery of local democracy. He considered that the officer report was incorrect to state that the application did not have a negative impact as it was in the middle of a conservation area. He referred to a consultant's report which claimed the development had a negative impact due to inappropriate detailing. He considered that the proposals were not appropriate for a Section 73A application which he understood to be for minor changes only, and sought clarification on this point.

Mr F Dowding, objector, concurred with Mr Hawes, and asked members not to 'dumb down' policies and statements on conservation areas. He considered that the window design and prefabricated chimneys were not in keeping with the locality. He commented that Martock had a rich architectural heritage and this was an example of bad development. He felt enforcement action should be taken, with timber lintels and balanced casement windows to be required.

In response to the comments made, the Area Lead (North/East) commented that the impact of the changes was a subjective judgement. Planning was about the external appearance rather than the structure, new builds had to meet building regulations to achieve warranties. Balanced casement windows would have been preferable, but it was acknowledged that many manufactures did not offer them as standard.

The Principal Legal Executive clarified that there were no limitations to a Section 73A application as had been suggested by a public speaker. He referred to the 'Encyclopedia of Planning', which defined it as a general power to grant permission with retrospective effect, in other words to regularise what had occurred. He mentioned the comments made by Mr Justice Sullivan in this respect as noted in the Encyclopedia. He was content that this was a legitimate application that members could consider normally as with any other planning application.

Ward member, Councillor Patrick Palmer, commented that the application had been referred to the committee as there had been so many departures from the approved scheme.

During the ensuing debate members raised varying comments including:

- solid timber lintels were often not used in new builds as the wood could shrink and split
- the installation of non-balanced casement windows was regrettable
- difficult to understand why all the deviations were necessary
- if the properties were covered in climbing plants they would probably look more acceptable
- Deviations were unfortunate but not enough to justify refusal
- Design of barn conversion B was regrettable, painting of the lintels to match the cladding would give a better appearance
- If it went to appeal it would probably be allowed

In response to questions and comments raised, the Area lead (North/East) clarified that cladding to barn B was part of the original plans and was not a deviation. The principal change on that particular dwelling was the position of the solar panel and that the lintels should have been positioned higher but this had not been possible due to building regulations. He noted that the timber boarding/cladding was on the approved plans, colours used were acceptable, and the Local Planning Authority would not normally seek to stop owners changing things over time.

The Principal Legal Executive reminded members to bear in mind that the application was a normal planning application save for the important fact that the development had already taken place. The application needed to be considered as indicated in the agenda report.

Most members were of the opinion that so many deviations were unfortunate but were not enough to justify refusing the application. It was proposed to approve the application as per the officer recommendation and conditions as detailed in the agenda. Members

also share the opinion that there was a need generally, across the district, to monitor deviations of planning conditions at an earlier stage.

RESOLVED: That planning application 12/02139/S73A be APPROVED as per the officer recommendation and conditions as detailed in the agenda report.

(Voting: 8 in favour, 1 against, 1 abstention)

*David Norris, Development Manager
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Chairman