

Meeting AN 04M 13/14  
Date 24.07.13

### **South Somerset District Council**

**Draft Minutes** of a meeting of the **Area North Committee** held in the Millennium Hall, Seavington on **Wednesday 24 July 2013**.

(2.00pm – 4.50pm)

**Present:**

**Members:** Shane Pledger (Chairman)

|                                |                                  |               |
|--------------------------------|----------------------------------|---------------|
| Graham Middleton (from 2.20pm) | Patrick Palmer                   | Paul Thompson |
| Terry Mounter                  | Jo Roundell Greene (from 4.15pm) | Derek Yeomans |
| David Norris                   | Sylvia Seal                      |               |

**Officers:**

|                 |                                     |
|-----------------|-------------------------------------|
| Alasdair Bell   | Environmental Health Manager        |
| Colin McDonald  | Corporate Strategic Housing Manager |
| Jo Calvert      | Strategic Housing Officer           |
| Charlotte Jones | Area Development Manager (North)    |
| Adrian Noon     | Area Lead (North/East)              |
| John Millar     | Planning Officer                    |
| Anuska Gilbert  | Planning Officer                    |
| Amy Cater       | Solicitor                           |
| Becky Sanders   | Democratic Services Officer         |

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

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**35. Minutes (Agenda item 1)**

Councillor David Norris requested an amendment to minute 34, so that his comment ended 'to a condition befitting to Somerton's heritage'.

Members were content that the minutes of the meeting held on 26 June 2013, copies of which had been circulated, be approved and signed as a correct record by the Chairman, subject to the amendment being made to minute 34.

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**36. Apologies for Absence (Agenda item 2)**

Apologies for absence were received from Councillors Pauline Clarke, Sue Steele and Barry Walker. Councillor Jo Roundell Greene also tendered apologies for a late arrival at the meeting.

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**37. Declarations of Interest (Agenda item 3)**

Councillor Shane Pledger declared a Disclosable Pecuniary Interest (DPI) for planning application 13/01831/COU, as he was the applicant.

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

Members noted that the next meeting of Area North Committee would be on Wednesday 28 August 2013 at the Village Hall, Norton Sub Hamdon. The start time was likely to be 4pm and not 2pm as detailed in the agenda.

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

There were no questions from members of the public.

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

The Chairman made several announcements:

- As had been discussed at a previous meeting, a couple of site visits to community projects of interest would be arranged for immediately before the next meeting on 28<sup>th</sup> August. The formal committee meeting would then probably start at 4pm to consider planning applications only.
  - The Town and Parish Council Annual Meeting had been arranged for Thursday 24<sup>th</sup> October from 6.30pm at Long Sutton Golf Club.
  - A Councillors Christmas dinner event had been organised for 18<sup>th</sup> December at Long Sutton Golf Club.
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**41. Reports from Members (Agenda item 7)**

There were no reports from members.

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**42. Environmental Health Service Update Report (Agenda Item 8)**

The Environmental Health Manager introduced the report as shown in the agenda, which provided members with an update of the work of the Environmental Health Service. His presentation included information on:

- Environmental protection
  - Noise, nuisance and contaminated land
  - Air quality and permitting environmental permitting
  - Private water supplies
  - Public health functions
- Food and safety
  - Food safety
  - Health and Safety at work
- Housing standards
  - empty properties and disabled facilities grants
  - Houses in multiple occupation
  - Standards in rented properties
  - The Green Deal and home energy efficiency

In response to comments made during discussion the Environmental Health Manager gave further information about contaminated land, sample testing, Green Deal and procedures regarding cases of food poisoning.

Members acknowledged the huge breadth of work covered by Environmental Health and expressed their thanks to the team for the work achieved.

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

*Alasdair Bell, Environmental Health Manager  
alasdair.bell@southsomerset.gov.uk or 01935 462056*

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#### **43. Affordable Housing Development Programme (Agenda Item 9)**

The Corporate Strategic Housing Manager presented the report as shown in the agenda, which updated members on the end of the year position of the Affordable Housing Development Programme for 2012/13 and provisional outturn for 2013/14 in relation to Area North. He commented that a more in depth report for affordable housing across the district would be made to District Executive in August.

During discussion, members made several comments including:

- The construction and standard of the houses at Parsons Close in Long Sutton was impressive
- New Homes Bonus figures may appear favourable due to the affordable housing element only of some developments being completed so far
- Difficult for people to find lenders for shared ownership properties

Councillor Sylvia Seal, wished to thank the strategic housing team for their work, and particularly for their support to the Norton sub Hamdon scheme and Community Land Trust.

Members thanked the manager for his comprehensive report and the work of team.

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

*Colin McDonald, Strategic Housing Manager  
colin.mcdonald@southsomerset.gov.uk or (01935) 462331*

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#### **44. Community Right to Bid – Nomination Received for Assets of Community Value (Agenda Item 10)**

The Area Development Manager (North) introduced the report as shown in the agenda. She noted that in response to comments made by the Area Committees, a revised process for consideration of nominations was proposed and would be considered by District Executive in August.

Members were unanimously supportive that the former school playing field and associated land, School Lane, Compton Dundon should be added onto the SSDC Register of Assets of Community Value.

**RESOLVED:** That Area North Committee recommend to District Executive that the former school playing field and associated land, School Lane, Compton Dundon be placed onto the SSDC Register of Assets of Community Value.

*(Voting: Unanimous in favour)*

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

**45. Area North Committee – Forward Plan (Agenda item 11)**

The Area Development Manager gave several updates including:

- A further report on Outside Bodies would be made in the autumn
- Efforts were being made to present the Historic Building at Risk report for October – this would be a confidential item.
- The Streetscene Services update report was confirmed for November

A request was made for a report about the implications for development management in the light of the suspension of the new Local Plan Inspection. The Area Development Manager confirmed she would raise the request with the Development Manager.

**RESOLVED:** That the following changes to the Forward Plan be noted:

- A report on Outside Bodies in the autumn
- Building at Risk report potentially for October
- Streetscene Services update report confirmed for November

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

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**46. Planning Appeals (Agenda item 12)**

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*

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**47. CONFIDENTIAL – Exclusion of Press and Public (Agenda item 13)**

**RESOLVED:** That the following item be considered in closed session by virtue of the Local Government Act 1972, Schedule 12A under paragraph:  
3, information relating to the financial or business affairs of any particular person (including the authority holding that information)

*(Voting: unanimous)*

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**48. Scrutiny Task & Finish Review of Councillor Representation on Outside Bodies (Confidential) (Agenda item 14)**

In closed session Members discussed the findings of the Scrutiny Task and Finish Review regarding representation on Outside Bodies.

During discussion several comments were noted by the Area Development Manager (North) and members agreed that further work be undertaken by the Area Development (North) team regarding representation on outside bodies.

**RESOLVED:** It was resolved that:

1. Suggestion 1 as set out in the confidential agenda report be noted
2. Suggestion 2 as set out in the confidential agenda report be noted
3. Area Development (North) undertake a full review of appointments to outside bodies within Area North to enable a report back to Area North Committee

*(Voting: Unanimous in favour)*

#### 49. **Planning Applications (Agenda item 15)**

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).

Prior to the consideration of planning applications, the Solicitor commented that the Monitoring Officer had confirmed that although Councillors Terry Mounter and Shane Pledger are on the Huish Leisure Board, their positions on the board did not constitute personal or prejudicial interests which would need to be declared in relation to planning application 13/01232/FUL.

**Planning application: 13/01232/FUL – Erection of 9 dwellings (plots 53-61) in lieu of approved Employment Units B and C (Revised Scheme) on land at Old Kelways, Somerton Road, Langport. Applicant: Mr D Lohfink.**

The Area Lead (North/East) presented the application as detailed in the agenda. He noted that Economic Development had no objection, whereas they had raised issues previously when the application of 2011 was considered. It was considered that the applicant had fully explored options to market the site. The officer recommendation was to approve the application.

The agent, Mr R Upton, made reference to the National Planning Policy Framework and commented that a marketing strategy had been carried out and there was a proven non demand for the employment space. He noted that housing sales across the wider site were almost complete and the development was now left with two unattractive areas. He acknowledged provision of bungalows had been suggested by the parish council, but commented that they would be out of style with rest of the development. He highlighted to members that S.106 obligations had been agreed which wouldn't normally be required for a development of nine dwellings.

Chairman and ward member, Councillor Shane Pledger, commented that the application had been brought back to committee due to the level of interest regarding the previous application.

Members were content that the developer had done what was requested and it was proposed and seconded to approve the application as per the officer recommendation. On being put to the vote the proposal was carried 7 in favour and 1 against.

**RESOLVED:** That planning application 13/01232/FUL be APPROVED, as per the officer recommendation subject to:

a) the prior completion of a Section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to ensure:-

- that a contribution of £3,789.05 per dwelling is secured to mitigate the impact of the increased local population created by this development on sports arts and leisure facilities locally and in the District as requested by the Assistant Director (Well Being)
- the provision of 3 affordable houses to the satisfaction of the strategic housing manager
- a contribution of £18,469 towards the provision of primary school education
- Travel Planning Measures
- A monitoring fee of £500

and

b) the following conditions

### **Justification**

It has been satisfactorily demonstrated that there is no demand for the approved employment units and that their loss would have no detriment impact on employment opportunities in the area. Adequate provision has been made for the necessary planning obligations to mitigate the impact of the development on the locality and, in terms of design, amenity, landscaping, highways, relationship with listed buildings and impact on ecology and drainage, the proposal raises no issues that could not be addressed by condition. As such the proposal complies with the saved policies of the South Somerset local plan and the policies contained with the National Planning Policy Framework.

### **Conditions**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development shall carried out in accordance with the following plans OS-001; PL-201; P-100; P-101; P-102; P-103; P0104; P-105; P-106; P-107; P-108; P-109; P-110; P-111; P-112; P-113; P-114 and P-115.

Reason: To define the development hereby approved.

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- c. details of all hardstanding and boundaries
- d. details of the rainwater goods and eaves and fascia details and treatment.

On approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

04. The areas allocated for parking and turning as shown on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason:- To ensure that adequate parking is provided to meet the needs of future occupiers, in the interests of residential amenity in accordance with saved policies ST6 and TP7 of the South Somerset Local Plan.

05. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.

Reason:- To ensure that adequate parking is provided to meet the needs of future occupiers, in the interests of residential amenity in accordance with saved policy ST6 of the South Somerset Local Plan and the Somerset Parking Strategy.

06. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of pedestrian and highways safety in accordance with saved policies ST5, TP1 and TP4 of the South Somerset Local Plan.

07. No development hereby approved shall be carried out until details of a sustainable surface water drainage system, including calculations, have been submitted to and approved in writing by the local planning authority. Such details shall incorporate sustainable drainage techniques and interceptors to prevent pollutants from the parking area entering the surface water

drainage system and shall make provision within the site for the disposal of surface water so as to prevent its discharge onto the highway. Once approved such details shall be fully implemented prior to the occupation of the medical centre and shall be maintained in good working order at all times thereafter.

Reason: To ensure that the development is adequately drained in accordance with saved policy EU4 of the south Somerset local Plan.

*(Voting: 7 in favour, 1 against)*

**Planning application: 13/01829/FUL – Demolish existing roadside boundary wall and railing and formation of vehicular access with provision of a vehicular turntable at The Old Bank, Knapp Hill, South Petherton. Applicant: Mr I Beaufoy.**

The Planning Officer presented the application as shown in the agenda. He commented that the proposed turntable would allow for access from and on to the highway in a forward gear. He noted it was not considered that the proposal would have a detrimental impact on the conservation area and the main issue was the impact upon highway safety.

Agent, Mr J Wratten, addressed members about highway concerns. He noted that people reversing on to the highway was not enforceable and the visibility issues could not be addressed. He highlighted that a neighbour had vehicular access and that was located nearer the bend than this proposal. If approved, the proposal would help resolve some of the parking issues in South Petherton.

Ward member, Councillor Paul Thompson, commented that turntables were expensive and it was unlikely the applicant would install one and then not use it. The visibility would remain the same and no gates were proposed so vehicles would not be waiting on the highway. He noted that eight neighbour representations had been received and most supported the application. He asked that members consider approving the application.

During discussion members raised comments including:

- difficulty enforcing someone to use a turntable
- turntable was an innovative solution to resolve an issue
- If the application were to be approved the vehicular access would be there for the future regardless of the turntable
- Turntables were in frequent use in London
- Safer to have off road parking
- Highways frequently say criteria indicated there is not enough space for a turning area
- With skilful driving it would be possible to park cars on the site without a turntable
- Turntable wasn't necessary
- Applicant was unlikely to spend a large amount of money on something that wouldn't be used

In response to comments made the Planning Officer and Area Lead clarified that:

- a requirement to keep the turntable in working order could be conditioned, but it would be difficult to enforce the use of it
- there could be a condition to require the turntable be installed and operative prior to the access being brought into use, and thereafter kept in good working order



- Some LPAs had conditions stating that if the turntable was not operative then the access could not be used, but this would be very difficult to enforce and it was not recommended as a condition

The Solicitor, reminded members that the application was for a turntable and therefore the application had to be considered with the turntable. She commented that the applicant could subsequently make a revised application if they wished for the omission of the turntable.

As members were minded to approve the application the Area Lead suggested that the reason included that the proposal was not detrimental to highway safety or the appearance of the conservation area, and that conditions included:

- time limit
- approved plans
- use of the area for turning and parking, the requirement for the turntable to be installed prior to access being used
- Surface details and drainage
- No gates to be installed without permission

It was proposed and seconded to approve the application, contrary to the officer recommendation, for the reason, and subject to the conditions as suggested by the Area Lead (North/East). On being put to the vote, the proposal was carried 8 in favour.

**RESOLVED:** That planning application 13/01829/FUL be APPROVED, contrary to the officer recommendation, subject to the following conditions:

**Justification:**

The proposal would enable 2 cars to be parked off road without detriment to highways safety and would preserve and enhance the character and appearance of the conservation area. As such the proposal complies with policies ST5, ST6, EH1 and EH5 of the South Somerset local Plan 2006 and the policies contained within the National Planning Policy Framework.

**Conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'BOB - PP03' and 'BOB - PP04', received 1<sup>st</sup> May 2013 and 'BOB - PP02 Rev A', received 8<sup>th</sup> May 2013.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

3. The area allocated for parking and turning on the approved plans shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development

hereby permitted. The turntable shall be fully installed prior to the access hereby approved first being brought into use and it shall thereafter be maintained in good working order.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

4. The parking and turning area shall be properly consolidated and surfaced, and drainage provision shall be made so as to prevent the discharge of surface water onto the highway, in accordance with details as indicated in the application form and approved plan 'BOB - PP03'. Such approved details shall be fully constructed and installed prior to the access hereby approved first being brought into use and it shall thereafter be maintained in good working order.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

5. No gates shall be installed across the vehicle access hereby approved unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

*(Voting: 8 in favour)*

**Planning application: 13/019092/FUL\*\* - Erection of one dwelling at West View, Folly Road, Kingsbury Episcopi. Applicant: Mr S Pearce.**

The Planning Officer presented the application as shown in the agenda. He reminded members that the officer recommendation was for refusal, for the reason as set out in the report, and if the Area Committee was unwilling to accept the officer's recommendation, the application would need to be referred to the Regulation Committee.

Agent, Ms H Lazenby, commented that there had been other infill plots near to the application site, and considered that under policy ST3 the proposal was acceptable. She noted the site was not in the open countryside nor did it have an open view, was within walking distance of village facilities, and was in a more unsustainable location than Island House at Stembridge where an application had been approved by the Regulation Committee. She commented that the number of parking spaces exceeded highway requirements. The applicants and their extended family lived at West View and the aspiration was for the applicants to move into the proposed dwelling and the remaining family to stay in West View, thereby the dwelling would be for a local family with no net increase in vehicle movements.

Ward member, Councillor Derek Yeomans, commented that he could see little reason for a recommendation of refusal. He noted the proposal was situated on a straight road on a large plot infilling with other dwellings. He felt some of the Highways comments were erroneous, as there is a village shop and pub within 400m. The location was not in the open countryside by definition and the village needed housing. He proposed to not accept the officer recommendation, and that the application went to Regulation

Committee. He also felt a site visit would be beneficial to members of the Regulation Committee.

During discussion other members indicated their support for the comments of the ward member and were of the view that the application should be referred to the Regulation Committee with the recommendation that it be approved because the infill development of the site would not constitute unsustainable development and could be achieved without harm to highway safety, residential amenity or the character of the locality. The Area Lead suggested there should be standard conditions to cover time limit, approved plans, materials, visibility, parking and turning provision, drainage and no additional openings on the east elevation, and these were agreed by the committee.

**RESOLVED:** That application 13/01092/FUL be referred to the Regulation Committee with the recommendation from Area North Committee that it be approved because it was considered that the infill development of the site would not constitute unsustainable development and could be achieved without harm to highway safety, residential amenity or the character of the locality. It was suggested there should be conditions for:

1. Time limit
2. Approved plans
3. Materials to be agreed
4. Visibility in accordance with plans
5. Turning parking in accordance with plans
6. No additional opening to east elevation
7. Drainage

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

*Councillor Shane Pledger having declared a DPI, left the meeting for the presentation and consideration of planning application 13/01831/COU.*

*Councillor Paul Thompson in the Chair.*

**Planning application: 13/01831/COU – Change of use of redundant agricultural land to garden (retrospective) at Orchard Cottage, Knole, Long Sutton. Applicants: Mr and Mrs S Pledger.**

The Planning Officer presented the application as shown in the agenda. She noted that the only reason the application was being considered by the committee was because the applicant was an SSDC Councillor.

No comments were raised and members were content to propose approval of the application as per the officer recommendation, and on being put to the vote was carried unanimously.

**RESOLVED:** That planning application 13/01831/COU be APPROVED, as per the officer recommendation subject to the following conditions:

**Justification:**

The proposal, by reason of its scale and siting respects the characteristic pattern, features and appearance of the local landscape and causes no demonstrable harm to residential and visual amenity in accordance with

the aims and objectives of Policies ST3, ST5, ST6 EH1 and EC3 of the South Somerset Local Plan 2006.

**Conditions:**

- 01. 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 15th May 2013.

Reason: To comply with Section 73A of the Act.

- 02. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Drawing number 13/01328/01 received 23 April 2013

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

- 03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no sheds, outbuildings or any other structures shall be erected on the subject land without the express grant of planning permission.

Reason: To safeguard the character and appearance of the area and the amenity of neighbouring occupants, in accordance with the aims and objectives of Policies ST3, ST6 and EC3 of the South Somerset Local Plan (2006).

*(Voting: Unanimous in favour)*

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Chairman