

MEETING AW.07:0708
DATE 21:11:07

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held in the Shrubbery Hotel, Station Road, Ilminster on **Wednesday, 21st November 2007**.

(5.30 p.m. – 8.00 p.m.)

Present:

Members: Kim Turner (In the Chair)

Simon Bending	Dan Shortland
Michael Best	Angie Singleton
Geoff Clarke	Jean Smith
Nigel Mermagen (from 7.00 p.m.)	Andrew Turpin
Robin Munday	Linda Vijeh (from 5.45 p.m. until 6.30 p.m. & from 7.05 p.m.)
Ros Roderigo	

Officers:

Andrew Gillespie	Head of Area Development (West)
Zoe Harris	Community Regeneration Officer
Steve Brewer	Community Safety Co-ordinator
Andrew Gunn	Deputy Planning Team Leader (North/West)
Louisa Brown	Planning Officer
Andrew Blackburn	Committee Administrator

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

83. Minutes

The minutes of the meeting held on the 17th October 2007, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

84. Apologies for Absence

Apologies for absence were received from Cllrs. Dave Bulmer, Nicci Court, Ric Pallister and Martin Wale.

85. Declarations of Interest

Cllr. Andrew Turpin declared a personal but non-prejudicial interest in planning application no. 07/03837/FUL (alterations to dwelling to include the re-siting of 3 no. roof lights, 1 no. dormer window and change of approved garage to kitchen (retrospective application), Plot 6, Langdons Way, Tatworth) as comments had been submitted by Tatworth and Forton Parish Council on which he also served as a councillor. He also indicated that he had taken no part in the consideration of the application by the Parish Council.

Prior to consideration of the item, Cllr. Dan Shortland declared a personal and prejudicial interest in planning application no. 07/03837/FUL (alterations to dwelling to include the re-siting of 3 no. roof lights, 1 no. dormer window and change of approved garage to kitchen (retrospective application), Plot 6, Langdons Way, Tatworth) as he knew the applicant's agent's daughter. He left the meeting during consideration of that item.

86. Public Question Time

No questions or comments were raised by members of the public, representatives of parish/town councils or county councillors.

87. Chairman's Announcements

The Chairman referred to the form that was sent to members by the Planning Unit seeking their comments on planning applications. She commented that the Head of Development and Building Control was concerned that there were only around 25% of the forms being returned. She requested members to ensure that the forms were returned to the Planning Unit and in response to a question, confirmed that a member's comments should be made on the form rather than by telephone.

The Chairman also mentioned that the Head of Legal & Democratic Services wished to update members on the new Code of Conduct and asked whether they would prefer that to take place at a separate workshop or at the Area West Committee. Members expressed their preference for the matter to be taken at an Area West Committee, perhaps commencing the meeting a little earlier, if necessary.

88. Community Speed Watch Update (Agenda item 6)

The Community Safety Co-ordinator summarised the agenda report, which updated members on Community Speed Watch following issues that had been raised at the meeting of the Area West Committee on the 15th August 2007 (Minute 46).

The Committee noted the comments of Mr. J. Goodall who mentioned several examples to give an idea of how Police Beat Managers and the Road Policing Unit could support the Community Speed Watch groups thereby improving the way they operated. He felt that the level of support given helped to encourage the formation of new teams.

The Community Safety Co-ordinator then responded to members' questions on points of detail during which he informed members of the support that was available from the Police, which he hoped would be maintained and grow. He also referred to the Fire Service offering support to Community Speed Watch now that they had a major focus on road safety, although the kind and level of support was yet to be determined. The Community Safety Co-ordinator further confirmed that the remit of Community Speed Watch groups was to educate drivers to keep to the speed limit and concurred that the use of a "speed board", which gave a visible indication of a motorist's speed to the driver, was helpful. He agreed that if there was an opportunity to buy another such unit it would be worthwhile although a Community Speed Watch group would have to be found to operate it. He further indicated that overall there had been a demonstrable reduction in speed by an average of 35%. He confirmed that the Area West Committee was the only area committee to have made a direct funding contribution towards the Community Speed Watch scheme. Other funding came from the Mendip and South Somerset Community Safety Partnership centrally or via local Community Safety Action Panels and other sources.

The Chairman thanked the Community Safety Co-ordinator for his report, which was noted by the Committee.

NOTED.

*(Steve Brewer, Community Safety Co-ordinator – (01935) 462390)
(steve.brewer@southsomerset.gov.uk)*

89. Area West 2007/8 Budget Monitoring Report for the Period Ending 30th September 2007 (Agenda item 7) (Executive Decision)

Reference was made to the agenda report, which updated members on the current financial position of the Area West budgets as at the end of September 2007.

In response to a comment from a member, the Head of Area Development (West) acknowledged that the wording of the update on the current position of the unallocated programme in the table relating to the Capital Programme needed clarification.

Reference was made by a member to the previous item (minute 88) and to the sum of £7,500 allocated in the Area West Reserve for Community Speed Watch. It was queried whether the allocated funding could be used for the purchase of a “speed board” for use by the Community Speed Watch groups. The Head of Area Development reported that he had encouraged the Chairman of the Community Speed Watch Co-ordinators Group to apply for funding in August but no application had been forthcoming. The Chairman of the Co-ordinators Group had indicated today that there may be a requirement for equipment within the next 18 months and the Head of Area Development commented that he would once again encourage a formal application for funding.

Members suggested that a decision on the reallocation of the £7,500 in respect of Community Speed Watch to the uncommitted balance be deferred until the next meeting pending information on the likelihood of an application for funding being submitted by the South Somerset Community Speed Watch Co-ordinators Group.

- RESOLVED:** (1) that the current financial position of the Area West budgets as at the end of September 2007 be noted;
- (2) that the £8,000 in the Area West Reserve in respect of the “fence repair on the Tapstone to Millfield cycle path” be reallocated to the uncommitted balance;
- (3) that a decision on the reallocation of the £7,500 in respect of Community Speed Watch to the uncommitted balance be deferred until the next meeting pending information on the likelihood of an application for funding being submitted by the South Somerset Community Speed Watch Co-ordinators Group.

Reason: To review the allocation of resources as part of the monitoring of the Area West Development Revenue budget, Area West Capital Programme and Area West Reserve.

(Resolution passed without dissent).

*(Jayne Beevor, Principal Accountant – (01935) 462320)
(jayne.beevor@southsomerset.gov.uk)*

90. Progress of the Ilminster Forum and Community Plan (Agenda item 8)

Reference was made to the agenda report, which updated members about the work of the Ilminster Forum and the progress of the projects in the Community Plan for Ilminster and surrounding area.

The Chairman of Ilminster Forum, Carol Goodall, further updated members on the latest position in respect of the progress being made with projects in the Community Plan. In referring to the financial position, she mentioned that good management and a lot of voluntary work had helped to utilise the available budget effectively.

In response to a question from a member, the Head of Area Development (West) reported that the three year funding that had been made available for the Community Support Workers in the Area Development Team was coming to an end. He indicated that he was not in a position at present to say whether funding for those posts was likely to continue.

The Committee was pleased to note the progress being made with projects in the Community Plan.

NOTED.

*(Zoe Harris, Community Regeneration Officer – (01460) 260373)
(zoe.harris@southsomerset.gov.uk)*

91. Progress Report on the Frontline Councillors Grant Scheme (Agenda item 9)

Reference was made to the agenda report, which updated members on the Frontline Councillors Grant Scheme following the implementation of the pilot project. It was noted that this was the first of the progress reports required to be submitted to Area Committees by full Council for members' information.

During the ensuing discussion, some members commented that they were awaiting the outcome of bids made by local organisations in their wards to the Somerset County Council for grant funding before making a decision on the award of funding from the budget they held under the Frontline Councillors Grant Scheme. Comment was also expressed by a member that she had found the process by which the scheme was administered to be a little onerous. In response to a question, the Head of Area Development (West) reported that the budget of £2,500 held by each individual member had to be spent by the end of the financial year.

The Head of Area Development noted the comments made by members and the Committee noted that the pilot would be evaluated in April 2008 and a report brought to Committee in May 2008.

NOTED.

*(Paul Brazier, Area Support Team Leader (West) – (01460) 260404)
(paul.brazier@southsomerset.gov.uk)*

92. Area West Development Plan 2007/8 (Agenda item 10)

The Head of Area Development (West) referred to the agenda report, which updated members on the progress made to date together with any significant changes in respect of the Area Development Plan for 2007/08.

During the ensuing discussion, particular reference was made to the Ilminster Community Forum event, Opportunity Ilminster, which took place on 15th November 2007 at the Shrubbery Hotel, Ilminster. The Community Regeneration Officer informed members that the event had been successful and referred to just under 200 people having attended. She further reported that 59 people had completed the evaluation forms that had been distributed at the event from which there had been a very positive feedback. She informed members of some of the detailed comments made on the evaluation forms.

The Chairman commented that she was pleased that such a large number of people had attended the event and felt that there was a real community spirit on the evening. She had also received a comment about how well the event had been organised.

Cllr. Linda Vijeh agreed that the event had been successful. She commented, however, that given the number of grants, only two had gone to parishes outside Ilminster and suggested that perhaps some form of proportional representation could be introduced.

The Head of Area Development commented that although the event had been a success, that did not mean that improvements could not be made. However, he felt that all community groups did benefit from the chance to tell other local residents about their projects and activities even if their funding bids were not successful.

The Committee noted the progress, changes and achievements relating to the Area West Development Plan.

NOTED.

*(Andrew Gillespie, Head of Area Development (West) – (01460) 260426)
(andrew.gillespie@southsomerset.gov.uk)*

93. Reports from Members on Outside Organisations (Agenda item 11)

This item had been placed on the agenda to give an opportunity for members who represented the Council on outside organisations to report items of significance to the Committee.

Cllr. Dan Shortland referred to the last meeting of the Area West Community Safety Action Panel and reported that there was a small amount of money still available. If members were aware of any bids for that funding he asked that they contact the Community Safety Assistant.

NOTED.

94. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 12)

There was no feedback to report as there were no planning applications that had been referred recently to the Regulation Committee.

NOTED.

*(David Norris, Planning Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)*

95. Planning Appeals (Agenda item 13)

The Committee noted the details contained in the agenda report, which informed members of planning appeals lodged and dismissed. The details of an appeal where a split decision had been made by the Planning Inspector were also noted.

NOTED.

*(David Norris, Planning Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)*

96. Venue for Next Meeting (Agenda item 15)

The Committee noted that the next scheduled meeting of the Committee would be held at The Guildhall, Fore Street, Chard on Wednesday, 19th December 2007 at 5.30 p.m.

NOTED.

*(Andrew Blackburn, Committee Administrator – (01460) 260441)
(andrew.blackburn@southsomerset.gov.uk)*

97. Planning Applications (Agenda item 14)

The Committee considered the application set out in the schedule attached to the agenda and the Planning Officers 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).

07/03837/FUL (pages 1-4) – Alterations to dwelling to include the re-siting of 3 no. roof lights, 1 no. dormer window and change of approved garage to kitchen (retrospective application) (GR 332930/105561), Plot 6, Langdons Way, Tatworth – Corinthian Homes South Western Ltd.

Cllr. Dan Shortland, having declared his personal and prejudicial interest in this application, left the meeting during its consideration.

The Planning Officer summarised the details of the application as set out in the agenda report. In updating members she reported the details of a letter received from the applicant's agent clarifying specific points relating to the proposals. She further reported that the recommendation was one of approval subject to conditions.

The Planning Officer responded to members' questions on points of detail regarding the application. Points addressed included the acceptability of the proposals had they been put forward as part of the original overall site development, whether other properties on the development could be subject to similar alterations, clarification of the boundaries of plot 6 and ownerships, the impact of the alterations on other properties, the layout and height of the windows and clarification of the parking arrangements.

The Committee then noted the comments of Mr. K. Edginton, Mr. I. Purdon and Mr. K. Martin in objection to the application. Views expressed included the following:-

- the ownership and location of the land upon which the parking space was now to be located was questioned;

- it would be preferable for the parking space to be located within Plot 6;
- reference was made to the pillars adjacent to the driveway being of the incorrect height;
- concerns were expressed about there being no collection area for flood water and to appropriate facilities not having been provided;
- the surface of the driveway should have been block paving rather than tarmac;
- the relocation of the roof lights and dormer window to the other side of the roof was not considered to be minor fenestration issues;
- it was felt that the re-siting of the windows would result in an invasion of privacy and cause overlooking.

In responding to some of the comments made, the Planning Assistant reported that the ownership of land was a civil matter and not a planning consideration. She also referred to the need to consider the application as submitted in respect of Plot 6. In referring to the pillar heights and issues raised concerning floodwater, she indicated that those matters were being checked. She also clarified that although there were rooms in the roof space, the building was classed as a two-storey dwelling. She further mentioned that the distance between the properties was not considered to cause adverse overlooking.

Cllr. Andrew Turpin, ward member, commented that the Committee had considered the impact of developments on other properties in the past and gave an example of where the relationship with other dwellings had been considered. He was of the view that certain issues and the impact of this application were being overlooked. He was concerned that the matter regarding ownership of land could not be considered and that the affected person may have to resort to the courts to resolve that issue. He felt that the ownership issue should be taken into account. He also referred to issues concerning the location of parking spaces, including cars being parked outside windows, which he felt would impact on Plots 7 and 8. He also referred to the roof lights being on the opposite of the roof compared to the original plans where, had they been implemented, they would not have had an impact on anybody. Reference was made to other investigations that were being carried out on this development, which he felt members should be aware of in discussing this application. He also expressed his view that the granting of this application could have implications on the consideration of future applications in this locality and that there was a need to consider all the issues surrounding it.

The Deputy Planning Team Leader responded to some of the comments made and indicated that the officers had fully assessed the impact of this application on adjoining properties and come to the view that it would not be harmful. He referred to the officers' conclusion that there was no impact from overlooking and to the need for two car parking spaces having been addressed. He also mentioned that the applicants had declared that they had control over the land to be used for the amended parking provision but if that were not the case they would need to obtain any relevant permissions that were required before they could use it. Regardless of who used that area, the officers were of the view that it would not be detrimental to the adjoining properties.

During the ensuing discussion, varying views were expressed by members. It was acknowledged by some members that the ownership issues were a civil matter and not a planning consideration. It was also commented that it had been demonstrated that there was no detrimental impact on adjoining properties caused by overlooking or from other alterations that had been made on this site. Although there seemed to be other issues concerning the overall development, a member felt that they could be dealt with by other

means. The view was also expressed that there were no planning reasons to refuse the application.

Other members, however, indicated support for the comments of the ward member. Reference was made to the Committee having considered the impact of developments on other properties in the past. It was also commented that should there be other issues, including a possible planning enforcement matter, relating to the development in this area then members should be aware of those matters to enable this application to be discussed fully. The majority of members agreed with a proposal that consideration of the application be deferred for further information on matters regarding the overall development including that concerning enforcement issues and the effect that a decision on this application may have in respect of other properties in this area.

RESOLVED: that consideration of the application be deferred for further information on matters regarding the overall development including that concerning enforcement issues and the effect that a decision on this application may have in respect of other properties in this area.

(7 in favour, 2 against, 1 abstention)

*(David Norris, Planning Team Leader (North/West) – (01935) 462382
(david.norris@southsomerset.gov.uk)*

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Chairman