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South Somerset District Council and Somerset County Council

Minutes of a meeting of the **Joint Area Committee - West** held in the Henhayes Centre, off South Street, Crewkerne on **Wednesday, 19th August 2009**.

(5.30 p.m. – 7.40 p.m.)

Present:

Members: Cllr. Kim Turner (in the Chair)

Cathy Bakewell	Anne Larpent
Simon Bending	Nigel Mermagen
David Bulmer	David Miller
Geoff Clarke (from 5.40 p.m.)	Ric Pallister
John Dyke	Ros Roderigo
Carol Goodall	Angie Singleton
Jenny Kenton	Linda Vijeh

Also Present:

Tim Carroll
Sylvia Seal

Officers:

Andrew Gillespie	Head of Area Development (West), SSDC
Lynda Pincombe	Senior Leisure Facilities Officer, SSDC
Andrew Gunn	Deputy Development Control Team Leader (North/West), SSDC
Roger Wotton	Planning Enforcement Team Leader, SSDC
Ian McWilliams	Planning Liaison Officer (Highways), SCC
Andrew Blackburn	Committee Administrator, SSDC

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

20. Minutes (Agenda item 1)

The minutes of the meeting held on the 15th July 2009, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

21. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Michael Best, Robin Munday, Derek Nelson, Dan Shortland, Jill Shortland, Andrew Turpin and Martin Wale.

22. Declarations of Interest (Agenda item 3)

Cllr. Simon Bending declared his personal interest in agenda item 6 (Merriott Parish Council Sports Pavilion and Hard Court Enhancement - Request for Additional Funding

Support) as he was a member of the community for which the funding was sought. He did not consider the interest to be prejudicial to his consideration of this item.

Cllrs. David Bulmer and Jenny Kenton declared their personal but non-prejudicial interests in planning application no. 09/01285/FUL (Alterations to provide community meeting rooms within building and the erection of a two storey entrance lobby, stair lift and kitchen, Church of the Good Shepherd, Furnham Road, Chard) as comments had been submitted by Chard Town Council on which they also served as councillors.

23. Public Question Time (Agenda item 4)

Mr. M. McGowan, Chairman of Mitchell Gardens Residents Association, and Mr. R. Smiles expressed their dissatisfaction that the District Council had not taken enforcement action under Section 215 of the Town and Country Planning Act 1990 in respect of a barn on land adjacent to Snowdon Park, Chard, the condition of which they alleged was adversely affecting the amenity of the neighbourhood. Reference was made to vandalism that had occurred to the barn and to the nuisance they alleged was being caused to the neighbourhood resulting from its use to house bullocks. The alleged problems referred to included rain water run off from fields adjacent to the barn collecting effluent and straw causing blocked road drains and flooding to property, as well as offensive odours, flies and rats in the area adjacent to the barn.

The Committee noted the allegations made and the Chairman indicated that she had visited the site together with the Council's Planning Enforcement Team Leader and County Council Division member, Cllr. Jill Shortland. She also mentioned that Mr. McGowan would have received an e-mail from the Head of Area Development (West) informing him that an item would be included on the agenda for the meeting of the Joint Area Committee - West to be held on 16th September 2009, when a briefing would be given to members on the context within which enforcement action under Section 215 could be used.

The Planning Enforcement Team Leader informed members that complaints had been received over the years and each one had been addressed and a full answer given on each occasion. He referred to the Council only being able to act within the legislation, which unfortunately did not cover the issues that had been raised in this particular case.

The Chairman invited Mr. McGowan and Mr. Smiles to attend the Committee's next meeting at which members were to be given a briefing on the context within which enforcement action under Section 215 could be used.

24. Chairman's Announcements (Agenda item 5)

The Chairman referred to the planning tour for members in Area West, which was to take place on a date to be arranged at the end of September 2009. Members were asked to let the Development Control Team Leader (North/West) know of any sites that they would find of interest to assist him in drawing up an itinerary for the tour.

The Chairman also referred to the last meeting of the Committee when members were addressed by Mr. D. Harcombe with regard to a planning application relating to Forton Rangers Football Club and certain drainage issues. She informed the Committee that she had visited the site in conjunction with the Planning Enforcement Team Leader and County Council Division member, Cllr. Jill Shortland. She hoped that the issues raised by Mr. Harcombe would now be resolved. She also mentioned that Cllr. Shortland had agreed to contribute £500 from her member's community budget to assist in the resolution of problems with flooding.

25. Merriott Parish Council Sports Pavilion and Hard Court Enhancement - Request for Additional Funding Support (Executive Decision) (Excepted Business) (Agenda Item 6)

The Senior Leisure Facilities Officer summarised the agenda report, which asked the Committee to consider a request for further funding support received from Merriott Parish Council towards the construction of a new four team changing pavilion and improvement of other ancillary facilities at Merriott Recreation Ground.

She further reported that there had been concern about whether the Council's policies enabled the Committee to agree an award that took the total amount over £12,500. She mentioned that she had consulted the Council's Legal Unit who had indicated that although the policy was not explicit on this point they were content that this Committee could make a further award if members so wished.

Councillor Sylvia Seal, Portfolio Holder for Leisure and Culture, commented that this was one of the largest projects in the district and that the community had worked hard to raise funding and to develop the bid to the Football Foundation. She felt that it would be a tragedy if the project failed for want of a small percentage of funding, given that the total cost of this project was around £360,000.

Mr. I. Hall, representative of Merriott Parish Council, in speaking in support of the application for grant, explained the Parish Council's current policy with regard to their support for local projects. He mentioned the amount of funding they had allocated towards various projects over several years, particular mention being made of the £23,000 committed to this project. He also referred to the considerable sum being awarded by the Football Foundation and to the hard work of the local clubs and community in raising funding towards the project. He urged the Committee to consider awarding the Parish Council the total grant request of £6,250.

During the ensuing discussion, members indicated their support for the scheme and for the award of further funding to Merriott Parish Council for this project. Reference was made to the hard work put in by the community towards this project and to the small sum required, which would enable a large investment to be realised from the Football Foundation. A member proposed, which was duly seconded, that a grant of £3,000 as recommended in the agenda report be awarded and in addition a loan of £3,250 be offered to Merriott Parish Council, being the balance between the amount of grant awarded and the amount requested by the Parish Council. A member commented that the scheme may come out under budget with some of the contingency sum remaining and felt that the proposal put forward was the right way to go. In response to a question from a member, the Committee was informed that the development of girls' teams was included within the development plan for the project.

Other members indicated their support for the full amount of £6,250 to be awarded as requested by the Parish Council.

Cllr. Simon Bending, ward member, expressed his view that this project was a district wide facility with the majority of children who would benefit coming from outside Merriott. He referred to the huge costs involved and also to the Parish Council and the community having worked hard to gain funding and to bring the scheme forward. He referred to the District Council contribution being a small percentage of the cost, which if agreed would enable the project to move forward. He indicated his support for the amount of £6,250 to be awarded.

After further discussion, the original proposal to award a grant of £3,000 and offer a loan of £3,250, on being put to the vote, was carried.

- RESOLVED:** (1) that a grant of £3,000 be awarded from the unallocated Area West capital budget to Merriott Parish Council towards the construction of a new four-team changing pavilion and improvement of other ancillary facilities at Merriott Recreation Ground subject to the same terms and conditions attached to the previous funding award for this project made in September 2008;
- (2) that a loan of £3,250 be also offered to Merriott Parish Council being the balance between the amount of grant awarded and the amount requested by the Parish Council.

Reason: To determine an application submitted by Merriott Parish Council for grant funding.

(6 in favour, 4 against)

(Lynda Pincombe, Senior Leisure Facilities Officer- (01935) 462614)
(lynda.pincombe@southsomerset.gov.uk)

26. Area West 2009/10 Budget Monitoring Report for the Period Ending 30th June 2009 (Agenda Item 7)

The Head of Area Development (West) summarised the agenda report, which updated members on the current financial position of the Area West budgets as at the end of June 2009.

During the ensuing discussion, the Head of Area Development noted and responded to members' comments on points of detail including the following:-

- reference was made to the summary of the revenue position and, in response to a question, the Head of Area Development indicated that the gap between budgeted expenditure and income caused by the withdrawal of funding for County Information Points would be closed during the year;
- a member referred to the Community Play Scheme bid within the capital programme and to the apparent disparity between the budgeted amounts and the figures shown in the responsible officer's comments in the table on the agenda. The Head of Area Development agreed that there was a need for clarification and indicated that he would ask the Senior Play and Youth Facilities Officer to clarify his comments for the next quarterly report;

The Committee noted the details contained within the budget monitoring report.

NOTED.

(Catherine Hood, Management Accountant - 01935 462157)
(catherine.hood@southsomerset.gov.uk)

27. Joint Area Committee – West Forward Plan (Agenda item 8)

Reference was made to the agenda report, which informed members of the proposed Joint Area Committee – West Forward Plan.

The Head of Area Development (West) informed members of the reasons why the reports on the operation of markets in Area West and from the County Council on the funding of Council Information Points had been re-scheduled.

A member referred to the item concerning the enforcement action available in respect of the condition of property under Section 215 of the Town and Country Planning Act 1990, which was to be considered at the next meeting. The Committee concurred with the member's comments that bearing in mind the concerns expressed during public question time earlier in the meeting, any report should give a short summary of the issues raised and the reasons why action could not be taken by the Council.

The Chairman referred to the survey form that had been sent to members regarding the commencement time of meetings and reminded them to complete and return the form. She also asked that an item be placed on the agenda for the September meeting to enable the Committee to review the commencement time of its meetings.

In response to a question from a member, the Head of Area Development indicated that he should soon be in a position to provide an update on the Chard Regeneration Scheme and he agreed to provide an item for information to be sent out with the next agenda.

RESOLVED: that the Joint Area Committee – West Forward Plan as attached to the agenda be noted subject to the above comments being taken into account.

(Resolution passed without dissent)

(Andrew Gillespie, Head of Area Development (West) – (01460) 260426)

(andrew.gillespie@southsomerset.gov.uk)

(Julian Gale, Group Manager – Community Governance (SCC) – (01823) 355025)

(jjgale@somerset.gov.uk)

28. Reports from Members on Outside Organisations (Agenda item 9)

Cllr. Jenny Kenton reported that she had attended the Annual General Meeting of the Chard Young People's Centre on 13th July 2009 when reference had been made to the vandalism that had occurred to the building in April, details of which she mentioned to the Committee. She also referred to some new light fittings that were to be installed shortly. She further mentioned that some of the teenagers from the Centre had applied for and won a £16,000 grant for a new kitchen. The management committee had also received £500 from Yarlinton Homes for a screen and £500 from the District Council to renovate the old snooker room and install new carpet. Reference was made to the management committee working hard towards being self-sufficient by 2014, which they had been informed by the District Council would be the date when funding would cease. She mentioned that rooms were rented to around ten groups and that the Youth Service currently used the Centre on two evenings per week.

NOTED.

29. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 10)

There was no feedback to report as there were no planning applications that had been referred by the Joint Area Committee – West to the Regulation Committee.

NOTED.

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

30. Planning Appeals (Agenda item 11)

The Committee noted the details contained in the agenda report, which informed members of planning appeals dismissed.

NOTED.

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

31. Date and Venue for Next Meeting (Agenda item 13)

The Committee noted that the next scheduled meeting of the Committee would be held at the Shrubbery Hotel, Station Road, Ilminster on Wednesday, 16th September 2009 at 5.30 p.m.

NOTED.

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

32. Planning Applications (Agenda item 12)

The Committee considered the application 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).

09/01285/FUL (Pages 1-8) - Alterations to provide community meeting rooms within building and the erection of a two storey entrance lobby, stair lift and kitchen (GR 332576/108715), Church of The Good Shepherd, Furnham Road, Chard - Father Colin Furness, Parochial Church Council.

The Deputy Development Control Team Leader, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He clarified that the Committee was only being asked to consider the external extension to the building and rooflights as the internal alterations proposed did not require planning permission but would be dealt with by a separate body under an Ecclesiastical Exemption Order as explained in the agenda report.

In updating members, the Deputy Development Control Team Leader referred to the original submitted plans showing the proposed footway as having a width of 1.2 metres and to the Highway Authority having recommended that the footway be 2 metres in

width. He reported that the applicant had agreed to provide a 2 metre footway and amended plans had been received accordingly. He further mentioned that the Highway Authority had recommended the inclusion of two additional conditions in any permission requiring the car park to be kept clear of obstructions at all times and not to be used other than for the parking of vehicles in connection with the development and requiring the access to be properly consolidated and surfaced.

The Deputy Development Control Team Leader referred to the key considerations to be taken into account including the proposed design of the extension and the impact upon the setting of the listed building. In referring to the objection from the Victorian Society he indicated that most of their comments related to the internal alterations. With regard to the Victorian Society's comment that the need for the proposed development had not been sufficiently demonstrated, he advised that the application could not be refused on lack of need. The Deputy Development Control Team Leader explained the details of the proposals during which he displayed photographs showing examples of the copper cladding to be used for the extension. The Committee noted that the officers found the proposals to be acceptable and that the recommendation was one of approval subject to conditions.

The Deputy Development Control Team Leader and Planning Liaison Officer (Highways) answered members' questions on points of detail. Points addressed included matters relating to the design of the rooflights, details of the parking provision and regarding the use of copper cladding on the external elevations.

A member queried whether the wording of the reasons for recommended conditions 8 and 10 were correct. The Deputy Development Control Team Leader confirmed that the reason attached to condition 10 was correct but in respect of condition 8 the reason should also have included highway safety aspects, which were covered by Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan. The Planning Liaison Officer (Highways) also mentioned that the wording of condition 8 itself should be amended to require that no other part of the development shall be "brought into use" until the car park had been provided etc. rather than "commenced".

The Committee noted the comments of the applicant's agent, Mr. M. Richmond. He referred to the history of the church and to the principal approach to the building now being to the entrance on the north side rather than to the entrance on the south side. He mentioned that the existing church hall was in a dilapidated condition and would be expensive to bring into use. The Diocese had agreed that it should be sold but the funds had to be used for community purposes. He explained the proposals to build new facilities within the existing roof envelope of the church, which could be used separate from the worship area, but also to support it. He mentioned that the external entrance was designed to access the two areas separately or together. 10 parking spaces were to be provided, which were distinct from those that served nearby houses. He explained the need for the rooflights and mentioned that there was no east window and few other windows in the church and that introducing additional light through the roof would help. In referring to the copper cladding he mentioned that it would be a dark brown colour and would not be allowed to become verdigris.

Cllr. Jenny Kenton, County Council Division member, indicated her support for the application and felt that, just as the church had been provided to serve a purpose when first built, there was a need for it to evolve to serve the community as it was in the present day. She was of the view that the applicant should be encouraged to improve the facilities to enable the community to use the church.

Other members also showed their support for the application. The view was expressed that although the building was not necessarily beautiful it did need protecting. It was also commented that the proposed development would enhance the building, improve the use

of the facility and safeguard its future. Support was also shown for the idea of providing community facilities in the building and for the details of the proposed conversion.

Some members expressed concerns about the impact of the rooflights and regarding potential light pollution. Those concerns were not supported by the majority of members, comment being expressed that the church was in a well lit area of the town and not in a rural area.

The majority of members indicated that they felt that the proposed development was acceptable subject to the inclusion of the two additional conditions recommended by the Highway Authority and to the amendment of condition 8 together with the reason for that condition.

RESOLVED: that planning permission be granted in respect of application no. 09/01285/FUL subject to:-

- (1) conditions 1-7 and 9-10 as set out in the agenda report and the inclusion of additional conditions as recommended by the Highway Authority requiring the area allocated for car parking to be kept clear of obstructions at all times and not used other than for the parking of vehicles in connection with the development and requiring the first 5 metres of the access to be properly consolidated and surfaced, details of which to be approved by the local planning authority;
- (2) the amendment of condition 8 to read as follows:-

“No other part of the development hereby permitted shall be brought into use until the car park has been provided and its area has been properly drained, consolidated and surfaced in a material to be agreed in writing by the Local Planning Authority. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with Policy EH3 of the South Somerset Local Plan adopted 2006 and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.”

(9 in favour, 1 against, 1 abstention)

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

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Chairman