

MEETING AW.07:1011
DATE 17:11:10

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held in the Guildhall, Fore Street, Chard on **Wednesday, 17th November 2010**.

(5.30 p.m. – 8.15 p.m.)

Present:

Members: Kim Turner (in the Chair)

David Bulmer	Ros Roderigo
Geoff Clarke	Angie Singleton (until 6.55 p.m.)
Carol Goodall	Andrew Turpin
Jenny Kenton	Linda Vijeh (until 6.45 p.m.)
Nigel Mermagen	Martin Wale (until 6.55 p.m.)
Ric Pallister	

County Council Members:

John Dyke (Until 6.55 p.m.)

Officers:

Andrew Gillespie	Area Development Manager (West)
Zoë Harris	Community Regeneration Officer (West)
Andrew Gunn	Area Lead West – Development Control
John Millar	Planning Officer
Amy Cater	Solicitor
Andrew Blackburn	Committee Administrator

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

73. Minutes (Agenda item 1)

The minutes of the meeting held on the 20th October 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

74. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. Simon Bending, Michael Best, and Robin Munday.

75. Declarations of Interest (Agenda item 3)

Cllr. Ros Roderigo declared her personal and prejudicial interest in planning application no. 10/03753/FUL (alterations and erection of a single storey front extension to dwellinghouse, Bereta, Underway, Combe St. Nicholas) as she was the applicant. She withdrew from the meeting during consideration of the application.

Cllr. Jenny Kenton declared her personal and prejudicial interest in planning application no. 10/03753/FUL (alterations and erection of a single storey front extension to dwellinghouse, Bereta, Underway, Combe St. Nicholas) because, in her role as a County Councillor, she worked closely with Cllr. Ros Roderigo (the applicant) whose District Council ward was within her County division. She withdrew from the meeting during consideration of the application.

Cllr. Martin Wale declared his personal and prejudicial interest in planning application no. 10/03753/FUL (alterations and erection of a single storey front extension to dwellinghouse, Bereta, Underway, Combe St. Nicholas) because he was the Leader of the Group on the District Council to which Cllr. Ros Roderigo (the applicant) also belonged and lived in her ward. Cllr. Wale had left the meeting before the application was considered.

Cllr. Geoff Clarke declared his personal and prejudicial interest in planning application no. 10/00953/FUL (the repair and conversion of redundant barn to form a dwelling and the formation of a vehicular access, Manor Barn, Church Hill, Dinnington as the applicant was personally known to him as a friend. He withdrew from the meeting during consideration of the application.

76. Public Question Time (Agenda item 4)

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

77. Chairman's Announcements (Agenda item 5)

The Chairman referred to the planning tour held on 1st November 2010 and thanked members for attending.

78. Budget Monitoring Report for the Period Ending 30th September 2010 (Executive Decision) (Agenda item 6)

The Area Development Manager (West) summarised the agenda report, which updated members on the current financial position of the Area West budgets as at the end of September 2010.

The Area Development Manager in referring to the subsidised town centre Christmas parking in Area West reported that it would take place on Saturdays 11th and 18th December 2010. He also mentioned that publicity was being arranged and that signs would be placed next to the coin slot on the ticket machines to make people aware of the initiative.

Reference was made by a member to the recommendation to return £1,500 previously allocated to the Crewkerne Public Places Order to uncommitted balances and, in response to a question, the Area Development Manager reported that funding had been found from other budgets towards this initiative.

RESOLVED: (1) that the current financial position of the Area West budgets for the period ending 30th September 2010 be noted;

(2) that the allocation to underwrite community grants be reduced from £52,550 to £40,500;

- (3) that the allocations of £790 (Merriott Flood Relief Scheme) and £1,500 (Crewkerne Public Places Order) be returned to uncommitted balances.

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

(Resolution passed without dissent).

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

79. Street Markets in Area West (Executive Decision) (Agenda item 7)

The Community Regeneration Officer summarised the agenda report, which proposed a way forward to reinvigorate the markets in Area West and help create a vibrant market town atmosphere.

In response to questions, the Area Development Manager (West) explained how he anticipated that the working group would move this matter forward. He referred to there having been a lack of investment in the markets and he hoped that the working group would give some thought to all the issues, which needed to be considered and resolved locally. There was also a need for the group to understand that there was some commitment to resolving this issue. With regard to the recommended allocation of £20,000, the Area Development Manager reported that this was an approximate amount and not based on a costed plan. It was felt, however, that the allocation of up to £20,000 between the three markets reflected the concerns and issues raised at the previous workshop held in August this year. He further indicated that he would be looking for evidence of value and merit before any actual expenditure was agreed.

During the ensuing discussion, comments were expressed by members regarding the current site of the markets, especially in Chard and Crewkerne, which were not considered to be ideally located. In referring to Crewkerne some members suggested that a relocation to the pedestrian walkway between the George Shopping Precinct and Falkland Square would be a good site. A member also commented that location was not necessarily the problem and if the market was attractive, people would find it.

Comment was also expressed that markets could be beneficial to a town and that it was right that the District Council was seen to lead on this issue. It was further commented that it would be good to get people together and to achieve some cohesion. General support was shown for the working group to be established, although a member questioned whether it was the right time to do so. It was felt that any working group should include a District Councillor representative from each town, a representative from the Chambers of Commerce and that the views of the business community should be obtained. A suggestion that the group also look at market town improvement generally was not supported by members given that the separate Market Towns Investment Group already existed and that this initiative was aimed solely at reinvigorating the markets in Area West.

Although support was shown for setting up a working group, varying views were expressed on whether funding of £20,000 should be allocated to it or whether the decision on the amount of any funding towards an action plan should be made by the Committee itself. The view was expressed that the District Council should not just allocate £20,000 without first having an idea of the outcome and benefit.

In response to a question, the Community Regeneration Officer informed members of match funding possibilities that may be available.

A proposal to agree the formation of an Area West Markets Improvement Group, as detailed in the agenda report, to develop an 18 month action plan and to allocate funding totalling £20,000, subject to the amount being conditional on the Area West Committee agreeing the action plan, on being put to the vote, was lost (5 in favour, 6 against).

A subsequent proposal that an Area West Markets Improvement Group be established, as detailed in the agenda report, to develop an 18 month action plan to reinvigorate the markets in Area West and that it be agreed in principle to make funding available to support the delivery of the action plan when finalised, on being put to the vote, was carried (9 in favour, 2 against).

- RESOLVED:** (1) that an Area West Markets Improvement Group be established, as detailed in the agenda report, to develop an 18 month action plan to reinvigorate the markets in Area West;
- (2) that it be agreed in principle to make funding available to support the delivery of the action plan when finalised.

Reason: To establish a way forward to reinvigorate the markets in Area West and help create a vibrant market town atmosphere.

(9 in favour, 2 against).

*(Zoë Harris, Community Regeneration Officer – 01460 260423)
(zoe.harris@southsomerset.gov.uk)*

80. Area West Opportunity Event (Executive Decision) (Agenda item 8)

The Community Regeneration Officer summarised the agenda report, which informed members of proposals for the next 'Opportunity' event (Community Forum) in Area West based on participatory budgeting where the public were involved in decision making in relation to a budget for local improvements to public services and facilities.

A general discussion ensued on the suggested arrangements when varying views were expressed. Some members were of the view that the arrangements were overly complicated and that any restriction in attendance was not fair or democratic. It was also commented that members, having been elected, should be making the decisions and that perhaps a return should be made to the arrangement whereby members had a budget upon which they could draw for community projects in their wards. Reference was also made to the amount of time that may be spent by the Council's service teams in putting forward suggestions on how they could spend the comparatively small sum of £3,000 on a proposal that was specific to Area West. The cost of putting on the event was also mentioned.

Comment was also expressed that, although appreciating the remarks made, it was felt that from the experience of the previous events they did offer something different, were enjoyable and at least brought people in when they did not attend the Council's ordinary meetings. They also enabled community organisations to focus on particular projects.

The comments of members regarding the 'Opportunity' events were noted. Discussion ensued, however, on whether the Committee should be considering a different approach to participatory budgeting events given the current economic situation and the savings that needed to be made by the Council. A member commented that although the idea of

participatory budgeting was a good one it was felt that there was a need to enable the local community to do more for themselves. Reference was also made to the Government's Localism Bill, which was likely to have an impact on the way communities and local people were empowered. Comment was expressed that the £50,000 that could be allocated to a participatory budgeting type of event may be needed to support the Council's services, which may have a serious impact on the community. It was felt that knowledge of the potential impact of the Somerset County Council budget cuts on South Somerset should also be awaited before considering any arrangements for a participatory budgeting event. A suggestion was also made that the Area Chairman discuss a way forward with the Chairmen of the other Area Committees.

- RESOLVED:** (1) that consideration of the arrangements for a participatory budgeting event be deferred pending the outcome of the Government's Localism Bill and knowledge of the potential impact of the Somerset County Council budget cuts on South Somerset;
- (2) that the Area Chairman meet with the Chairmen of the other Area Committees to discuss a way forward.

Reason: To determine a way forward with regard to the allocation of the Service Enhancement and Community Grants budgets.

(10 in favour, 0 against).

(Zoë Harris, Community Regeneration Officer – 01460 260423)
(zoe.harris@southsomerset.gov.uk)

81. Area West Committee – Forward Plan (Agenda item 9)

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

The Chairman referred to the work carried out in the community by the Devon and Somerset Fire Authority and the Committee concurred with her suggestion that a representative of the Fire Authority be invited to the Committee's meeting in January 2011 to inform members of their work in Area West.

The Area Development Manager (West) noted the comments of a member, which were supported by the Committee, that a provisional date be set in February 2011 for a member workshop to discuss the way forward with regard to the allocation of the Service Enhancement and Community Grants budgets.

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

(Resolution passed without dissent).

(Andrew Gillespie, Area Development Manager (West) – 01460 260426)
(andrew.Gillespie@southsomerset.gov.uk)

82. Reports from Members on Outside Organisations (Agenda item 10)

Cllr. Andrew Turpin referred to the last meeting of the Stop Line Way Steering Group and reported that the Devon part of the cycleway from Seaton to Axminster was forging ahead. It was anticipated that this section would be finished by 2012.

NOTED.

83. Feedback on Planning Applications referred to the Regulation Committee (Agenda item 11)

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

NOTED.

*(David Norris, Development Manager – 01935 462382)
(david.norris@southsomerset.gov.uk)*

84. Planning Appeals (Agenda item 12)

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

NOTED.

*(David Norris, Development Manager – 01935 462382)
(david.norris@southsomerset.gov.uk)*

85. Date and Venue for Next Meeting (Agenda item 14)

Members noted that the next meeting of the Committee would be held at the Henhayes Centre, off South Street, Crewkerne on Wednesday, 15th December 2010 at 5.30 p.m.

NOTED.

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

86. Planning Applications (Agenda item 13)

The Committee considered the applications 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).

Prior to consideration of the planning applications, at the request of the Chairman, those members who had declared interests at the beginning of the meeting in respect of any of the planning applications (details of which are set out in minute 75 above) did so again

bearing in mind that those members of the public who had attended the meeting for the planning applications may not have been present at the beginning of the meeting.

10/03059/S73 (pages 1-5) – Application to vary condition no. 3 of planning permission 03/02037/FUL to allow temporary siting of mobile home until 31st July 2015 (GR 347716/110462), The Caravan, Stonage Lane, Haselbury Plucknett – Mr. J. Brown.

Prior to summarising the details of the application, the Area Lead West updated members and, in referring to the history of the site, clarified that the previous temporary planning permission for this use (03/02037/FUL) had been granted for five years and not ten as stated in the agenda report. He also confirmed that this current application sought to vary condition 3 of planning permission 03/02037/FUL to allow an extension of time for a further period of five years. He further suggested that if members were minded to grant the application they may wish to consider a three year temporary permission rather than one of five years. The Planning Officer advised members that 3 years may be a more reasonable period of time for the applicant to demonstrate a genuine intention to develop a horticultural business on this site and to come forward with a more appropriate office/storage building.

The Area Lead West, with the aid of slides and photographs, then summarised the details of the application as set out in the agenda report. He also showed photographs that had been provided under the Council's appropriate protocol by the applicant showing the condition of the land when it came into his ownership. The Area Lead West also reported that the caravan was not lived in and that the applicant had submitted a planting and work plan. He referred to the key considerations to be taken into account including the need for/suitability of the mobile home for the intended purpose and the visual impact. He further reported that he felt that it was reasonable to allow a further temporary consent to enable the applicant to develop his enterprise and that the recommendation was one of approval but for the reduced period of three years. He also recommended that an informative note be attached to any permission to advise the applicant that a further application for temporary permission was unlikely to be granted and that a more sympathetic storage building be sought in the future. If the application were refused, he indicated that the Committee would need to consider enforcement action.

The Chairman asked if any members had viewed the site independently and two members indicated positively.

In response to a question with regard to whether there had been a change of use, the Area Lead West clarified that the use of the land for horticultural purposes fell into the classification of agricultural use and did not in itself require planning permission.

The Committee then noted the comments of Mrs. H. Brown on behalf of the applicant. She referred to a comment by the ward member in an e-mail to the planning officer that the applicant had attempted to live on site. She indicated that it had been mentioned earlier in the meeting that the caravan had not been lived in and felt that the comment made related to the previous application. She further commented that the caravan was well screened from the road and that further work had been done and was ongoing to tidy the site since the photographs shown at this meeting had been taken. She also clarified what the mobile home would be used for and the extent of the land in their ownership.

Cllr. Ric Pallister, ward member, referred to the Parish Council having supported the application. He also referred to the site being unobtrusive. He had, however, raised an objection to the application on a matter of principle and had asked for it to come to Committee because he felt that there was a lack of consistency. He referred to the previous temporary permission, which had been subject to a condition that the land be cleared upon its expiry and expressed concern about applications for temporary permission becoming an ongoing situation. He also referred to part of the problem being that the

structure was a mobile home, which by definition was something that was lived in, not a storage place, and would not normally be approved as such in respect of a small scale operation in the open countryside. He also queried what would happen at the end of any further temporary permission. He indicated that he would probably not have had a problem with the application if it were for a temporary storage facility rather than in terms of allowing the temporary siting of a mobile home and would have preferred the application to have been submitted as a new proposal not linked with the earlier permission.

The Area Lead West confirmed that a mobile home as such would not normally receive approval in this location, however, in this case the intention was to use it for storage and shelter. He further indicated that at the end of any temporary permission the authority would not be looking to grant a further consent for the mobile home but rather something more conducive to a storage type use. He confirmed that the mobile home was not for habitation and expressed his view that the Committee should look at the application in terms of a storage facility. He also commented that recommended condition 4 stipulated that the mobile home could not be used as living accommodation.

The Solicitor commented that the description of the proposal may be slightly misleading in terms of its reference to a mobile home but indicated that whatever was finally agreed by the Committee would stand.

During the ensuing discussion, the majority of members expressed their view that the application could be granted if the use of the mobile home was restricted to use as an office, rest room and storage and no-one was allowed to live in it. Views were also expressed that the proposals were in line with sustainable practices and that the application should be considered on the basis of what was before the Committee. Members also felt that the application should be granted for the temporary period of five years ending 31st July 2015.

RESOLVED: that temporary planning permission be granted until 31st July 2015 subject to conditions 1-4 as set out in the agenda report and the inclusion of an informative note advising the applicant that a further application for temporary consent is unlikely to be granted and that a more sympathetic storage building be sought in the future.

(7 in favour, 0 against, 1 abstention)

10/00953/FUL (pages 6-15) – The repair and conversion of redundant barn to form a dwelling and the formation of a vehicular access (GR 340260/112735), Manor Barn, Church Hill, Dinnington – Mr. Clive Wakely.

10/00962/LBC (pages 16-23) – The repair and conversion of redundant barn to form a dwelling and the formation of a new vehicular access (GR 340260/112735), Manor Barn, Church Hill, Dinnington – Mr. Clive Wakely.

Cllr. Geoff Clarke, having declared his personal and prejudicial interest in this application, withdrew from the meeting during its consideration and determination.

The Planning Officer, with the aid of slides and photographs, summarised the details of the applications as set out in the agenda report. He reported that the proposed development was a revision of the scheme approved previously under planning permission 09/00762/FUL and he showed plans of the development that had been approved together with those showing what was now proposed. He further indicated that the application was partly retrospective as the roof lights were already in position but the solar panels had not been inserted yet. He also showed photographs, which had been submitted under the Council's appropriate protocol by the owner of the neighbouring property, showing the street scene in the vicinity of the development. He referred to the key considerations to be

taken into account including the impact on the setting and appearance of the traditional building and adjacent listed buildings. The Planning Officer indicated that overall the proposed works were considered to be acceptable and not to have an adverse effect on the character or appearance of the traditional building, the setting of the local landscape character or the listed buildings. It was noted that the recommendation was one of approval subject to conditions.

The Chairman asked if any members had viewed the site independently and three members indicated positively.

In response to a question from a member, the Planning Officer clarified the position with regard to the location of the oil tank within the site.

The Committee then noted the comments of Mr. S. Davidson-Houston, the owner of the neighbouring property, who also spoke on behalf of another neighbour, in objection to the application. In referring to the history of the development, he mentioned that the alterations to the south facing roof slope, including the roof lights and solar panels, as previously approved had been controversial at the time. He felt that the subsequent increase in size of the roof lights and solar panels compounded the situation. He explained the reasons why he was of the view that the proposals did not safeguard the character and appearance of the building itself, the setting of the adjoining listed buildings or the amenity of the local area.

The applicant's agent, Mr. P. Richold, explained the reasons for opting for roof lights and mentioned that they had often been used in Edwardian buildings. He indicated that there was no view out from the roof lights and that they were only 15 to 18% larger than those previously approved. He also referred to the reason why the roof lights were cut into the chosen positions. He further indicated that it was now proposed to install an alternative heating system, which would mean that there would be no need to install the solar panels.

During the ensuing discussion, members indicated that they considered the proposals to be acceptable. Comment was expressed that the principle of the conversion to a dwelling had been agreed already and was a sensible use of a farm building. It was further commented that the principle of the roof lights had also been agreed and the view expressed that the increase in size was insignificant. A member also commented that he would be content with the solar panels. Support was shown for the applications to be granted.

- RESOLVED:** (1) that application no. 10/00953/FUL be granted subject to conditions 1-21 and informative notes 1-2 as set out in the agenda report;
- (2) that application no. 10/00962/LBC be granted subject to conditions 1-13 as set out in the agenda report.

(7 in favour, 0 against)

10/03753/FUL (pages 24-26) – Alterations and the erection of a single storey front extension to dwellinghouse (GR 330359/111309), Bereta, Underway, Combe St. Nicholas – Mr. & Mrs. R. Roderigo.

Cllr. Jenny Kenton, having declared a personal and prejudicial interest in this application, withdrew from the meeting during its consideration and determination.

Cllr. Martin Wale, who had also declared a personal and prejudicial interest in this application, had left the meeting before the application was considered.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the key consideration to be taken into account being the impact on the character and appearance of the dwelling and indicated that the recommendation was one of refusal for the reasons set out in the agenda report.

The Chairman asked if any members had viewed the site independently and three members indicated positively.

The Committee then noted the comments of Cllr. Ros Roderigo who, although having declared a personal and prejudicial interest in this application as she was the applicant, exercised her right under the Code of Conduct to make representations as would any other member of the public. She referred to having lived in the house for 27 years and to it being a typical 1930s construction. She also referred to the history of the site and explained the reasons for the application and the proposed layout. She further commented that she did not feel that the extension at the front would detract from the design of the house or that it would impact on the building line. She further mentioned that neighbours had not objected to the proposals and asked that the application be approved to enable her family to remain living in the house in future years. Cllr. Roderigo then withdrew from the meeting during the consideration and determination of the application.

The applicants' agent, Mr. D. Lowe, commented that although extending forward of the front building line was generally resisted, he felt that it was not cast in stone. He referred to the property being very well screened from the road and to the materials to be used matching the existing house. He also expressed the view that the house was set so far back from the road that the proposals would have minimal impact. He mentioned that building to the side of the house was not appropriate because the drains ran under that area and it would necessitate the removal of the parking area and its relocation to the front garden, which he felt would not be ideal. Reference was also made to it not being possible to build at the rear of the house. He felt, therefore, that a front extension was appropriate.

During the ensuing discussion, members indicated their support for the application to be granted. Comment was expressed that the house did not have any particular architectural merit. Reference was also made to there being a variety of different styles of dwellings in the locality and to the proposed extension not having a detrimental impact. It was also felt that as the house was set well back on the site, the extension would not have any impact on the street scene.

In conclusion, members felt that the proposed development, by reason of its size, scale and materials, respected and related to the character of the property and its surroundings and caused no unacceptable harm to residential amenity in accordance with the aims and objectives of policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

RESOLVED: that planning permission be granted subject to the following 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 plan: '1:200 proposed block plan', '1:100 proposed elevational drawings and sections' and '1:50 proposed floor plans', received 13th September 2010.

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

3. The particulars of materials to be used for the external surfaces of the development hereby permitted shall match those specified on the '1:100 elevational drawings', received 13th September 2010.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

(6 in favour, 0 against)

(David Norris, Development Manager – 01935 462382)
(david.norris@southsomerset.gov.uk)

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Chairman