

MEETING AW.02:1213
DATE 20:06:12

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held at the Shrubbery Hotel, Station Road, Ilminster on **Wednesday, 20th June 2012.**

(5.30 p.m. – 8.10 p.m.)

Present:

Members: Cllr. Angie Singleton (in the Chair)

Michael Best	Ric Pallister
Carol Goodall	Ros Roderigo
Jenny Kenton (until 6.45 p.m.)	Andrew Turpin (until 6.30 p.m.)
Paul Maxwell	Linda Vijeh
Nigel Mermagen	Martin Wale
Sue Osborne (from 5.45 p.m.)	

Officers:

Andrew Gillespie	Area Development Manager (West)
Paul Philpott	Community Development Officer (West)
Paul Brazier	Area Support Team Leader (West)
David Norris	Development Manager
Linda Hayden	Planning Officer
Andrew Blackburn	Committee Administrator
Jo Morris	Committee Administrator

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

4. Minutes (Agenda item 1)

The minutes of the meetings held on the 16th and 17th May 2012, copies of which had been circulated, were taken as read and, having been approved as correct records, were signed by the Chairman.

5. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. John Dyke, Brennie Halse and Kim Turner.

6. Declarations of Interest (Agenda item 3)

Cllrs. Jenny Kenton and Paul Maxwell declared their personal interests in planning application nos. 12/01066/FUL, 12/01067/FUL and 12/01068/FUL relating to Lower Sea Farm, Sea as they were also members of Somerset County Council and the application related to County Council land still in its ownership. The interest was not considered to be significant enough to be prejudicial to the members' consideration of the public interest. Cllr. Jenny Kenton had left the meeting before the consideration of the applications.

Prior to consideration of planning applications 12/01066/FUL, 12/01067/FUL and 12/01068/FUL relating to Lower Sea Farm, Sea, Cllr. Sue Osborne declared her personal and prejudicial interest as her husband was a tenant of a Somerset County Farm, which was also on the County Council's list as one of those to be sold. Her husband was also a former tenant of Lower Sea Farm.

7. Public Question Time (Agenda item 4)

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

8. Chairman's Announcements (Agenda item 5)

The Chairman referred to Andrew Blackburn, Committee Administrator, who was retiring from the Council after 43 years service. She spoke on behalf of members in thanking him for the support he had given to the Committee and wished him a happy and enjoyable retirement. Andrew thanked members for their good wishes and wished them well in the future.

9. Area West Committee - Forward Plan (Agenda item 6)

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

A member referred to Somerset County Council's proposed local choices initiative and the implications it may have for local communities and the District Council in the future. The Area Development Manager (West) noted a request for a report to be submitted to the Area West Committee when more specific information was available.

A member asked when it was anticipated that the report on the outcome of the review of area working would be submitted. The Area Development Manager (West) commented that there had been an interim report to District Executive and he hoped that a summary report would be submitted to the Area West Committee upon completion of the review.

The Area Development Manager (West) noted a request for a report to be submitted to the Committee at the July meeting to update members on the Community Justice Panel.

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)*

10. Area West 2011/12 Outturn Report (Executive Decision) (Agenda item 7)

The Area Development Manager (West) summarised the agenda report, which informed members of the actual spend against budgets for 2011/12 of the services over which this Committee exercised financial control.

The Area Development Manager (West) further referred to the Chard Football Club floodlights project, towards which a grant had been awarded by the Committee. In updating members, he reported that it had been anticipated that completion would have been by the end of May 2012 but because of contractor difficulties, completion would now be the end of July 2012.

In response to a question, the Area Development Manager (West) reported that as the Snowdon Park project had now been completed it would not appear on future reports regarding the capital programme.

- RESOLVED:** (1) that the 2011/12 financial outturn position of the Area West budgets be noted;
- (2) that the position of the Area West Revenue Reserve be noted;
- (3) that the slippage of £1,000 on approved capital schemes and £19,945 of unallocated capital funds be carried forward to 2012/13.

Reason: To review the 2011/12 financial outturn position of the Area West budgets 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)

11. Area West - Community Grants – System of Delegation (Agenda item 8)

The Community Development Officer summarised the agenda report, which detailed the procedure for assessing delegated grants of £750 or less within the community grants scheme.

He also referred to the details of grants that had been awarded funding under delegated authority and showed photographs of some of the projects concerned. He further commented that although the grants may be small they could be awarded quickly and made a big difference to community groups.

During the ensuing discussion, and in response to questions, the Community Development Officer agreed to send a member details of the reasons why two projects had been rejected as ineligible under the delegated grant scheme and to provide information to another member regarding the price of the Wambrook Village Book.

The Community Development Officer also confirmed that an organisation's full audited accounts were required to be submitted and were assessed in respect of all grant applications submitted under the main community grants scheme. For applications made

under the system of delegated grants, however, the requirement for the submission of audited accounts would depend on the size of the organisation/size of the project.

The Chairman thanked the Community Development Officer for his report, which was noted by the Committee.

NOTED.

*(Paul Philpott, Community Development Officer (West) - 01460 260359)
(paul.philpott@southsomerset.gov.uk)*

12. Services Delivered to the Community from our Front Desks 2011/12 (Agenda item 9)

The Area Support Team Leader (West) summarised the agenda report, which updated members on the type and volume of services that were delivered from the Council's front offices in Area West.

During the ensuing discussion, the Area Support Team Leader (West) and Area Development Manager (West) responded to members' questions and comments. Points mentioned included the following:-

- clarification was given of the different ways the offices in Chard, Crewkerne and Ilminster were operated including reference to the co-operation and financial contribution received from Crewkerne Town Council in respect of the Crewkerne office and the co-location of the office in Ilminster with the Town Council;
- it was noted that, in addition to the services provided directly by the staff on the front desks, details of which were contained in the agenda report, they also had an important role in signposting customers to other services including those provided by other authorities and organisations;
- a member referred to the service provided at Ilminster and commented that the office seemed to have less facilities. It was asked whether the office could have a public computer similar to that in Chard and Crewkerne and longer opening hours. The Area Development Manager (West) commented that ways were being looked at to improve the service in Ilminster but were not yet fully formed and work was still ongoing;
- reference was made by a member to the possibility of a cash machine, similar to that at the Chard office, being provided in Crewkerne. The Area Support Team Leader (West) referred to the high installation costs of the machines and commented that a previous capital bid for a similar machine to be provided in Yeovil was considered but failed to get through the bidding process;
- the Committee noted the comments of Cllr. Ric Pallister, Leader of the Council, who referred to changes that were being made by the Department of Work and Pensions to the way that housing benefits were administered, which was likely to have an impact on how the service was provided by the District Council including at its area offices. He indicated that he would not advocate any changes to the Council's systems until more information was known;
- reference was made to the help that was given in respect of some County Council services such as reporting highways and street lighting faults. In response to a question, the Area Support Team Leader (West) confirmed that enquiries from

customers about the new on-street parking enforcement arrangements would be passed on to the County Council.

The Chairman thanked the Area Support Team Leader (West) for his informative report, which was noted by the Committee.

NOTED.

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

13. Area West Working Groups – Appointment of Members 2012/13 (Executive Decision) (Agenda item 10)

Reference was made to the agenda report and the Committee reviewed the appointment of a member to serve on the Crewkerne and Area Community Office Board.

RESOLVED: that Cllr. Angie Singleton be appointed to serve on the Crewkerne and Area Community Office Board.

Reason: To review the appointment of a member to the Crewkerne and Area Community Office Board for the municipal year 2012/13.

(Resolution passed without dissent).

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

14. Area West Committee – Appointment of Members to Outside Organisations 2012/13 (Executive Decision) (Agenda item 11)

Reference was made to the agenda report and the Committee reviewed the appointment of members to serve on outside organisations.

Cllr. Linda Vjeh mentioned that she was a trustee of the Chard and District Museum and queried whether that position conflicted with being appointed as the District Council's representative. A member commented that a Scrutiny Committee Task and Finish Group was looking at whether a member who was a trustee of an organisation could also be appointed as a District Council representative as part of its review of outside organisations. It was suggested that the appointment of a representative to the Chard and District Museum Society be deferred pending the outcome of the Scrutiny Committee Task and Finish Group's review of outside organisations.

RESOLVED: (1) that the following members be appointed to represent the Council on the outside organisations listed below:-

Organisation	Representation 2012/13
A Better Crewkerne & District (ABCD)	Mike Best
Blackdown Hills AONB	Ros Roderigo
Chard and District Museum Society	Defer
Crewkerne Heritage Centre	John Dyke
Crewkerne Leisure Management (Aqua Centre)	Angie Singleton
Ile Youth Centre Management Committee (Ilminster)	Kim Turner

Organisation	Representation 2012/13
Ilminster Forum	Carol Goodall
Meeting House Arts Centre, Ilminster	Carol Goodall Sue Osborne
Stop Line Way Steering Group	Andrew Turpin
West One Youth and Community Centre (Crewkerne)	Angie Singleton

- (2) that the appointment of a representative to the Chard and District Museum Society be deferred pending the outcome of the Scrutiny Committee Task and Finish Group's review of outside organisations.

Reason: To review the appointment of members to represent the Council on outside organisations for the municipal year 2012/13.

(Resolution passed without dissent).

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

15. Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman (Executive Decision) (Agenda item 12)

Reference was made to the agenda report and the Committee considered the nomination of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.

RESOLVED: that Cllrs. Nigel Mermagen and Kim Turner be appointed to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.

Reason: To appoint two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the scheme of delegation for planning and related applications for the municipal year 2012/13.

(Resolution passed without dissent).

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

16. Reports from Members on Outside Organisations (Agenda item 13)

No reports were made at the meeting by members who represented the Council on outside organisations.

A member suggested that ideally, the Committee should hear from its representatives on outside organisations at least once a year.

The Committee concurred with the suggestion that one representative should make a report at each meeting and that an item be incorporated in the Forward Plan accordingly.

NOTED.

17. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 14)

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)

18. Planning Appeals (Agenda item 15)

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

NOTED.

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

19. Date and Venue for Next Meeting (Agenda item 17)

Members noted that the next scheduled meeting of the Committee would be held on Wednesday, 18th July 2012 at the earlier time of 5.00 p.m. at Merriott Village Hall. It was noted that, as mentioned at the last meeting, the agenda for the July meeting would include the confidential report updating the Committee on Historic Buildings at Risk in Area West as the first item. To minimise disruption to the public it had been agreed that the meeting would commence at the earlier time of 5.00 p.m.

NOTED.

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

20. Planning Applications (Agenda item 16)

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 the planning applications (details of which are set out in minute 6 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.

Cllr. Jenny Kenton, one of the members who had declared a personal interest, had left the meeting prior to the consideration of the planning applications.

Cllr. Sue Osborne, who had not been present to declare her interest at the beginning of the meeting, did so now. (For ease of reference details are recorded under minute 6). She also indicated that she wished to exercise her right under the Code of Conduct to make representations but would withdraw from the meeting during the Committee's debate and voting of the applications.

12/01066/FUL (pages 1-13) – Erection of farm manager's dwelling and construction of new access (GR 334861/112539), Lower Sea Farm, Sea – Mr. Andrew Grossey.

12/01067/FUL (pages 14-29) – Erection of agricultural building for housing pigs. Construction of hard surfaced service area and access (GR 334943/112543), Lower Sea Farm, Sea – Mr. Andrew Grossey.

12/01068/FUL (pages 30-44) – Construction of slurry lagoon and silage clamp (GR 334993/112565), Lower Sea Farm, Sea – Mr. Andrew Grossey.

The Planning Officer, with the aid of slides and photographs, summarised the details of the applications as set out in the agenda report. She referred to the key considerations to be taken into account being the principle of the developments, residential amenity, landscape impacts and highway safety issues. She reported that the recommendations were ones of approval subject to conditions in respect of each application.

The Planning Officer then responded to members' questions on points of detail. Points addressed included whether the current farm buildings were fit for purpose; confirmation that the existing farmhouse had an agricultural tie; the intentions of the County Council in respect of the farm buildings and remaining ten acres of the holding; confirmation that the recommended informative note in respect of planning application no. 12/01066/FUL, which indicated that the planning authority was unlikely to view favourably any future applications to enlarge the size of the agricultural worker's dwelling, would not preclude an application being made; whether there was an order in which the applications should be implemented if they were approved bearing in mind that they were effectively one farm unit and whether it could be stipulated that the remaining part of the holding could not be used for pigs.

The Committee then noted the comments of Ms. L. Mortimer, Chair of Donyatt Parish Council, who looked forward to a favourable conclusion being reached for this long term contentious problem. She referred to the need to protect residents living nearby from any nuisance including odour and noise whilst maintaining animal welfare and hoped that best available techniques would be used. She expressed disappointment that these issues had not been brought to a satisfactory conclusion earlier.

The Committee also noted the comments of Mr. C. Chatterley, Mr. M. Finn, Mr. J. Balmforth and Mr. R. Kitzinger, in objection to the application. Views expressed included the following:-

- concerns were expressed about traffic, including large vehicles, using Bere Mills Lane to access the proposed development, which it was felt would be a potential safety issue, reference being made to the current level of traffic and the very narrow width with high hedges. The general state of the lane was also referred to;
- reference was made to the apparent indifference to the residents of Bere Mills and comment expressed that the relocation of the farm would merely transfer an existing nuisance from the residents of Sea to those at Bere Mills. Concerns were expressed that the proposals, along with the existing intensive pig unit at Bere Mills, would lead to additional nuisance to residents from odour and noise;
- effluent from the pig unit could have an impact on watercourses. It was requested that the Environment Agency deal with that issue;

- the provision of the new access would damage the hedgerow and have an impact on birdlife. Sight lines along the lane would be affected;
- a resident expressed concern that the presence of two pig farms nearby would make his property unsaleable.

The Committee further noted the comments of Mr. C. Hall, who wished to make representations about the applications, and of Mr. A. Nash in support of the application. Views expressed included the following:-

- pleased that the proposals would lead to the removal of the pigs from Sea, which would be a relief to residents. It should, however, be ensured that the relocated pig farm caused as little nuisance as possible to anyone;
- the view was expressed that, bearing in mind its size, the slurry lagoon should be covered;
- a condition should be placed on any permission requiring the slurry lagoon to be completed prior to the pigs being moved;
- the planning authority should ensure that all conditions are enforced to minimise nuisances caused by the use.

Cllr. Martin Wale indicated that he wished to declare a personal interest in respect of these applications as he had realised that he had worked with Mr. Nash in the past.

Mr. Bower, who had mentioned that he wished to speak at the meeting, indicated that his comments had been covered and did not now wish to speak.

The applicant, Mr. A. Grossey, commented that from the outset of the possibility of relocating the farm he had opened a dialogue with the planning authority and had been in contact with the Council's Landscape Architect and Environmental Protection Unit, in addition to the Environment Agency and Highway Authority. He indicated that he had met representatives on site and that there were no objections from any of them. He expressed his wish to see the approval of the applications.

The Committee then noted the comments of Cllr. Sue Osborne, member for the Windwhistle Ward, who, although having declared a personal and prejudicial interest in the application, exercised her right under the Code of Conduct to make representations as would any other member of the public. She referred to this being a turbulent and complex application, which although broken down into three parts would create a new greenfield site unit. She felt that there was a need to be careful not to transfer any problems caused by nuisance to other residents. She also referred to the remaining ten acres of land, about which residents had expressed concerns that it could possibly be used for pigs or poultry. She felt that the interests of both the applicant and the residents needed to be taken into account. Cllr. Osborne then withdrew from the meeting prior to the member debate and voting on the applications.

Cllr. Linda Vjeh, member for the Neroche Ward, expressed her view that if it were not for the County Council's stance in selling County farms, the applicant may not have had to move. She commented that she hoped she could contribute to creating a more harmonious situation. She referred to the situation having been intolerable for local residents but also appreciated the comments of the Bere Mills residents. Reference was made, however, to there being no objections from the Highway Authority and the applications had the support of the parish council. On balance, she commented that she would be willing to go along with the approval of the applications but asked that the residents' concerns be taken into account. She further referred to points regarding

accessing the site and the need to deal with surface water drainage. She also referred to the applicant being able to move the agricultural building to a new site without planning permission. She proposed that the applications be approved subject to conditions to mitigate the concerns raised. She also expressed her hope that the applicant would adopt best practice and measures above and beyond what could be done through the planning system.

During the ensuing discussion, and in response to questions, the Planning Officer confirmed that the Environmental Protection Officer had assessed each application individually and had not objected to the proposals. She also indicated that a condition could be placed on the application for the agricultural building requiring that the slurry lagoon be completed prior to the building being brought into use. Species to be planted in the hedgerow could be covered by the recommended landscaping condition. She further explained, in response to a query, that the application for the farm manager's dwelling had been assessed on the basis of man hours on the site and the description of the application did not affect how it was assessed.

The Committee, although acknowledging the concerns raised also understood the needs of the applicant in respect of running his farm and support was shown by the majority of members for the granting of all three applications. It was considered, however, that an additional condition should be attached to any permission for the agricultural building to require that the slurry lagoon be completed prior to the building being brought into use. Members also asked that checks be made to ensure that the condition was adhered to. The Committee also hoped that the applicant would adopt best available techniques and measures above and beyond what could be done through the planning system to mitigate concerns that had been raised.

RESOLVED: (1) that planning application no. 12/01066/FUL be granted subject to conditions 1-11 and informative notes 1-3 as set out in the agenda report;

(6 in favour, 2 against)

(2) that planning application no. 12/01067/FUL be granted subject to conditions 1-9 and informative notes 1-2 as set out in the agenda report and to the inclusion of an additional condition requiring that the slurry lagoon approved under application no. 12/01068/FUL be completed prior to the building being brought into use;

(8 in favour, 0 against)

(3) that planning application no. 12/01068/FUL be granted subject to conditions 1-7 and informative notes 1-2 as set out in the agenda report.

(8 in favour, 0 against)

(David Norris, Development Manager - 01935 462382)
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Chairman