

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Long Sutton Village Hall** on **Wednesday 25 November 2015**.

(2.00 pm - 6.00 pm)

Present:

Members: Councillor Shane Pledger (Chairman)

Clare Aparicio Paul	Crispin Raikes
Neil Bloomfield	Dean Ruddle
Adam Dance	Sylvia Seal
Graham Middleton	Sue Steele
Tiffany Osborne	Derek Yeomans

Officers:

Charlotte Jones	Area Development Manager (North
Adron Duckworth	Conservation Manager
Greg Venn	Conservation Officer
Catherine Hansford	Welfare Advice Team Leader
Alice Knight	Welfare & Careline Manager
David Norris	Development Manager
Adrian Noon	Area Lead (North/East)
Nick Head	Planning Officer
John Millar	Planning Officer
Sarah Hickey	Locum Planning Solicitor
Angela Cox	Democratic Services Manager

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

93. Exclusion of Press and Public (Agenda Item 1)

RESOLVED: That the following item be considered in closed session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs:

3, information relating to the financial or business affairs of any particular person (including the authority holding that information)

94. Historic Buildings at Risk (Confidential) (Agenda Item 2)

The Conservation Manager and Conservation Officer updated members on current cases of historic buildings at risk in Area North.

The Conservation Officer, with the aid of photographs, detailed the historic buildings at risk in Area North and provided Members with an update on the current position of each building.

Following a brief discussion, Members asked that an update on a particular building at risk be provided at the January 2016 meeting. It was also noted that a further general update report would be presented in 12 months time.

RESOLVED: That the report be noted

95. Minutes (Agenda Item 3)

The minutes of the meeting held on 28 October 2015 were approved as a correct record and signed by the Chairman.

96. Apologies for absence (Agenda Item 4)

Apologies for absence were received from Councillors Stephen Page and Jo Roundell Greene.

97. Declarations of Interest (Agenda Item 5)

Councillors Neil Bloomfield and Graham Middleton declared a personal interest in agenda item 16: Planning Application 14/04723/FUL Land OS 6375, Ringwell Hill, Bower Hinton, as members of Martock Parish Council, who had submitted comments on the application.

Councillor Clare Aparicio Paul declared a personal interest in agenda item 16: Planning Application 14/04723/FUL Land OS 6375, Ringwell Hill, Bower Hinton as she employed a relative of one of the applicants.

Councillors Derek Yeomans and Tiffany Osborne declared a personal interest in agenda item 18: Planning Application 15/04390/FUL Former Environment Agency Depot, Back Lane, Curry Rivel, as members of Curry Rivel Parish Council who had submitted comments on the application.

98. Date of next meeting (Agenda Item 6)

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 16 December 2015 at the Edgar Hall, Somerton.

99. Public question time (Agenda Item 7)

There were no questions from members of the public.

100. Chairman's announcements (Agenda Item 8)

The Chairman said he was pleased to see 7 members of the Area North Committee at an important briefing on the future of waste collection in the area, earlier that week.

101. Reports from members (Agenda Item 9)

Councillor Sue Steele said she had recently attended the Langport doctors surgery and although it had recently doubled its car parking spaces, she had difficulty parking. She felt this type of issue should be addressed in future planning applications.

Councillor Clare Aparicio Paul expressed her thanks to Chris Cooper, Streetscene Manager, for his teams assistance in cleaning the centre of Langport ahead of the Christmas shopping period.

Councillor Sylvia Seal said she had attended a meeting of South West Councils in Exeter where they had discussed the Heart of the South West devolution bid for funding to improve health care, well-being and resilience in the area.

102. Work of the Conservation Service (Agenda Item 10)

The Conservation Manager, with the aid of photographs and a power point presentation introduced his report to Members. He explained the functions and aims of the Conservation Team to provide specialist advice, in particular to the Planning Department but also to others including members of the public and Parish/Town Councils and how the team provided specialist advice on the impact of development proposals on landscape and ecology, historic buildings and trees. He also explained the Council's duty to designate and review Conservation Areas and the on-going work of mapping the Listed Building curtilages of properties in the district.

At the conclusion of the presentation, the Chairman thanked the Conservation Manager for attending and providing an informative presentation to Members.

RESOLVED: That the report be noted

103. SSDC Welfare Advice Work in South Somerset (Agenda Item 11)

The Welfare Advice Team Leader provided Members with a power point presentation on the work of the Welfare Advice team during 2014/15. She advised that their clients were referred by either word of mouth or from other agencies and the additional welfare benefit income which they helped clients to claim was more than 10 times the cost of the service to the Council. She noted that they represented clients at appeal hearings and had a high success rate for them. They also helped to maintain housing tenancies, helped with form filling for a range of different benefits, as well as a wide range of other welfare services offered.

Councillor Sylvia Seal, as Portfolio Holder for the service, congratulated the Welfare Advice Team Leader and her staff for their work in assisting the most vulnerable people in the district. She welcomed the close working relationship between them and the Citizens Advice Bureau which would benefit those people who required their services.

The Chairman thanked the Welfare Advice Team Leader for attending and providing an informative presentation to members.

RESOLVED: That the report be noted

104. South Somerset Careline Annual Report 2014/15 (Agenda Item 12)

The Careline and Welfare Manager provided Members with a power point presentation on the Careline service. She noted that it had been operating since 1992 and now had 2,100 customers. She described the services provided and the benefits to customers and she said that a Business Plan and marketing strategy was currently being drawn up with the assistance of the Housing Intern as the service was an income generating service for the Council.

Councillor Sylvia Seal, as Portfolio Holder for the service, spoke in support of the Careline service and the benefits it provided to people who could continue to work knowing that their family members were safe at home. She suggested advertising in Parish Magazines as she felt some people were still unaware of the service. She also commended the use of key safes to allow access by carers and emergency services.

In response to a question, the Careline and Welfare Manager confirmed that the service did offer daily comfort calls to its customers and were always available to speak to them if they felt vulnerable at any time of day or night.

At the conclusion of the debate, the Chairman thanked the Careline and Welfare Manager for attending and providing an informative report and presentation.

RESOLVED: That the South Somerset Careline Annual Report 2014/15 be noted.

105. Area North Committee Forward Plan (Agenda Item 13)

The Area Development Manager (North) advised that the report on the Licensing Service would be delayed until the January or February meeting of the Committee. It was also noted that a brief update on the building at risk as discussed in the confidential session earlier in the meeting would be made at the January meeting.

RESOLVED: That the Area North Committee Forward Plan be noted.

106. Planning Appeals (Agenda Item 14)

Members noted the report that detailed recent planning appeals which had been lodged, dismissed or allowed.

RESOLVED: That the report be noted.

107. Schedule of Planning Applications to be Determined By Committee (Agenda Item 15)

Members noted the schedule of planning applications to be determined at the meeting.

RESOLVED: That the report be noted.

108. Planning Application 14/04723/FUL - Land OS 6375, Ringwell Hill, Bower Hinton. (Agenda Item 16)

Proposal: Proposed residential development of 49 dwellings, public open space and associated infrastructure, including drainage attenuation pond.

The Area Lead Planning Officer provided the Committee with a comprehensive presentation of the proposal with the assistance of a power point presentation of drawings and photographs of the site. Since writing his report, he advised that the County Archaeologist had responded suggesting an additional archaeological condition of approval, the Parish Council had confirmed that they preferred the offsite footpath improved shown on drawing SK02, but without the island and a local resident had raised concern at the proposed drainage for the site. The applicants had confirmed that appropriate de-silting of the attenuation pond would take place and this would be a condition of approval. He concluded that his recommendation was to approve the application subject to the prior completion of a Section 106 planning agreement

The Committee were then addressed by Mr R Powell, Chairman of Martock Parish Council, and local residents, Mr R Deubert, Ms C Roden, Mr C Price, Mr G Swindell, Mr R Roden, Mr F Dowding, and Mr A Clegg in opposition to the application. Their comments included:-

- The application has been considered twice by the Parish Council and despite changes, both times they voted to refuse by a considerable majority.
- There are more suitable sites for development in Martock.
- The site can be seen from several footpaths and it will erode the soft edge of the village.
- The roads are narrow through Bower Hinton and it cannot take any additional traffic.
- The NPPF requires houses to be accessible to services but this development is well outside the Martock services and is in an isolated position.
- Concern at the flood risk to the wider community. Water may flow into the proposed attenuation pond from the surrounding land and a lack of maintenance may cause it to block up.
- The rural centre classification of Martock in the Local Plan states it should have modest housing growth but this development will mean that it grows too fast for jobs.
- The Sparrow Works have a great industrial history and until a few years ago all the units were occupied by small businesses. The site is an employment opportunity for the youth of Bower Hinton.
- Currently, houses in Bower Hinton hug the valley bottom and cannot be seen from Ham Hill, but the proposed development would desecrate the views from the Hill and their irrevocable harm would outweigh the benefit.

The Committee were then addressed by Mr C Miller, Ms C Elliott, and Mr M Crosby, Agent, in support of the application, Their comments included:-

- The existing industrial units on Ringwell Hill are dilapidated and unviable for business use and their loss will not be detrimental to the local economy.
- The current business demand is for small modern units as proposed on land to the north of the site.
- The development is an opportunity for people to live and work next door to a sympathetic development.

- The Council cannot demonstrate a five-year housing land supply so the Local Plan is out of date and there is a presumption in favour of development.
- There is not sufficient harm demonstrated to outweigh the benefit of the development.
- The sustainable drainage system proposed will reduce existing water run off and the technical information provided shows it is deliverable.
- The Council's Economic Development officer states that a commercial development of the site would not be viable in the current market conditions.

One of the Ward Members, Councillor Graham Middleton, said there were over 200 local objections to the development, including those of the Parish Council. He said the walk to the shops and school in Martock would be a 3 mile return journey which would involve crossing the road several times and so people would probably use their car. A development nearby had been refused permission as it was on rising ground and easily visible as this site was. He proposed that permission be refused.

The other Ward Member, Councillor Neil Bloomfield, stated that in 5 or 10 years the employment site may be needed and if small units were currently in demand at the Sparrow Works then why not construct them at Ringwell Hill? Although the development proposed 7 bungalows there were no local facilities, no bus and no pavement to reach services in Martock. He felt this was the wrong location for housing and expressed his concern at the loss of employment land and so seconded the proposal to refuse permission.

During discussion, some Members expressed their concern at the existing traffic problems in Bower Hinton and Martock and at the loss of employment land so close to the A303, particularly as small industrial units were in high demand in other parts of the district. It was proposed that the application be deferred to negotiate with the applicant for a mixed housing and light industrial use of the site. However, the Development Manager and Locum Planning Solicitor cautioned that this would be a different application and the proposal was withdrawn. However, Members felt that a mixed housing and light industrial application would be more appropriate and acceptable at the site.

The original proposal to refuse permission because of the total loss of employment use, the rising site would be detrimental to the visual amenities of the locality and its distance from the services and facilities available in Martock/Bower Hinton was proposed and seconded and being put to the vote, was carried (voting: 7 in favour, 0 against, 4 abstentions).

RESOLVED: That planning application 14/04723/FUL be REFUSED permission, contrary to the officer recommendation for the following reasons:-

Notwithstanding the benefits stemming from the delivery of additional housing, the proposal would result in the total loss of the employment use of this existing and allocated employment site. Such loss would be detrimental to Martock/Bower Hinton's supply of employment land/premises and job opportunities. As such the proposal is contrary to policy EP3 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

The proposed development on this rising site on the periphery of Martock/Bower Hinton would be detrimental to the visual amenities of the locality and the local landscape character. As such the proposal is

contrary to policies EQ2 and EP3 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework

The proposal by reason of its distance from the services and facilities available in Martock/Bower Hinton and the nature of the route to the village centre would constitute development that would not be accessible to all except by reliance on the private motorcar. The submitted travel plan does not satisfactorily demonstrate that the future residents would have any option but to rely on the private motor car for virtually all their daily needs. Such lack of choice of transport modes constitutes unsustainable development contrary to the presumption in favour of sustainable development running through the National Planning Policy Framework, which is not outweighed by any benefits arising from the development. Accordingly the proposal is contrary to the policies SD1, TP4 and EQ2 of the South Somerset Local Plan 2006- 2028 and the policies contained within the National Planning Policy Framework.

(Voting: 7 in favour of refusal, 0 against, 4 abstentions)

109. Planning Application 15/02218/FUL - Crimson Orchard, Top Road, Curry Mallet. (Agenda Item 17)

Proposal: Application for change of use of land to provide 2 additional Traveller pitches comprising 2 No mobile homes; 2 No Touring Caravans and associated hardstanding.

The Planning Area Lead Officer advised that it had transpired they had not consulted the adjoining parishes of Hatch Beauchamp and North Curry within the Taunton Deane Borough Council area. Consultation letters had now been sent to these parishes and to Beercrocombe Parish Council, however no response had yet been received and so he proposed that members defer the application to await those responses.

The Chairman proposed that the application be deferred which was seconded by the Vice Chairman and unanimously agreed by the Committee.

RESOLVED: That planning application 15/02218/FUL be DEFERRED to a future meeting of the Committee to allow further consultation with neighbouring Parish Councils to be completed.

(Voting: unanimous in favour)

110. Planning Application 15/04390/FUL - Former Environment Agency (Depot), Back Lane, Curry Rivel. (Agenda Item 18)

Proposal: proposed conversion and extension of former waterworks depot into residential dwelling including the erection of a double garage.

The Planning Officer introduced the application with the assistance of a power point presentation of drawings and photographs of the site. He advised that a previous application at the site had been withdrawn and a revised application submitted which

was now before Members. He said the site was in a singular position and highly visible and so the landscape harm outweighed the benefit as most of the existing screening vegetation would be removed.

The Committee were then addressed by the applicant, Mr J Conway, and the Agent, Mr D Trent. Their comments included:

- We have lived and worked in the area for 17 years and this is the opportunity to build our dream home.
- Local materials will be used to construct the property and as many trees as possible will be retained or replanted.
- There were 4 letters of support and no objections to the proposal.
- The Government emphasised the use of brownfield sites for housing.

The Ward Member, Councillor Tiffany Osborne, said the application was for a 2 storey house next to another 2 storey house and she felt it could only enhance the site. She noted that it was supported by the Parish Council, nearby residents and all the statutory consultees.

During a short discussion Members felt the application was an acceptable reuse of an existing building and would be well screened by trees. It was proposed and seconded that planning permission be granted and on being put to the vote, was carried unanimously.

RESOLVED: That planning application 15/04390/FUL be APPROVED, contrary to the officer recommendation, for the following reason:

Justification:

The proposal represents the acceptable re-use of an existing building in the countryside which, by reason of its design, scale and massing, respects the established character and appearance of the local landscape and the immediate setting, and causes no demonstrable harm to residential amenity. The proposal makes a contribution to the Council's five-year land supply. In these respects, the proposal accords with the aims of the NPPF and Policies SD1 and EQ2 of the South Somerset Local Plan. Subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to ensure that:-
1. A contribution, payable on occupation of the dwelling, is made available to the Council towards the provision of affordable housing, in terms of the provisions of Policy HG4 of the South Somerset Local Plan.

and

- b) the following conditions:-
01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. F1255 numbers 100B, 101B, and 102A.

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

03. No development hereby permitted shall be commenced unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) materials (including the provision of samples where appropriate) to be used for external walls and roofs;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods;
- d) details of the surface material for the parking and turning area;
- e) details of all boundary treatments; and
- f) details of the finished floor levels of the buildings.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. No development hereby permitted shall be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area, and to accord with Policy EQ2 of the South Somerset Local Plan.

05. Prior to implementation of this planning permission, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a tree protection plan and an arboricultural method statement relating to all retained trees on or adjoining the site, shall be drafted so as to conform with Paragraphs 5.5, 5.6, 6.1, 6.2 & 6.3 of British Standard 5837:2012 - Trees in relation to design, demolition and construction. The Tree Protection Plan and the Arboricultural Method Statement details shall be submitted to and agreed in writing with the Council and it shall include the following details:

1. the locations and specification of protective fencing & construction exclusion zones clearly detailed upon the tree protection plan and;
2. details of special tree protection and engineering measures for any required installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees and;
3. a requirement for a pre-commencement site meeting to be held between the appointed building contractors and the Council's Tree Officer.

Upon approval by the Council, the measures specified within the agreed tree protection plan and arboricultural method statement shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping measures.

Reason: To preserve the health, structure and amenity value of existing trees in accordance with the objectives within Policy EQ2 of the South Somerset Local Plan, those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)1.00 and the Town & Country Planning (Tree Preservation) (England) Regulations 2012.

06. The works shall be implemented in accordance with details and timing of the bat mitigation measures detailed in section 4 of the Bat Survey report (Crossman Associates, 25 June 15), as modified to meet the requirements of the 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

07. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or even actual remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority. The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site and if the Local Planning Authority considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the submitted details.

Reason: In the interests of environmental health and to accord with Policy EQ7 of the South Somerset Local Plan.

(Voting: unanimous in favour)

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Chairman