

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Long Sutton Village Hall** on **Wednesday 23 November 2016**.

(2.00 pm - 4.30 pm)

Present:

Members: Councillor Clare Aparicio Paul (Chairman)

Adam Dance	Jo Roundell Greene
Tiffany Osborne	Sylvia Seal (from 2.10pm)
Stephen Page (to 4.15pm)	Sue Steele
Crispin Raikes	Derek Yeomans

Officers:

Helen Rutter	Assistant Director (Communities)
Chereen Scott	Neighbourhood Development Officer
Sara Kelly	Area Development Lead (North)
Angela Watson	Legal Services Manager
David Norris	Development Manager
John Millar	Planning Officer
Becky Sanders	Democratic Services Officer

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

96. Minutes (Agenda Item 1)

The minutes of the meeting held on 26 October 2016 were approved as a correct record and signed by the Chairman.

97. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors, Neil Bloomfield, Graham Middleton and Dean Ruddle.

98. Declarations of Interest (Agenda Item 3)

As the applicant for planning application 16/04421/FUL, Councillor Clare Aparicio Paul declared a Disclosable Pecuniary Interest (DPI).

99. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 14 December, at the Edgar Hall in Somerton.

100. Public question time (Agenda Item 5)

There were no questions from members of the public.

101. Chairman's announcements (Agenda Item 6)

The Chairman thanked everyone who had voted for Langport in the Great British High Street Awards, and noted results would be announced on 12 December.

The Chairman noted the by-election for Turn Hill Ward was the following day and she looked forward to welcoming the new councillor to Area North Committee at the next meeting.

102. Reports from members (Agenda Item 7)

Councillor Sue Steele referred to some parishes in her ward that had attended a recent training event for small parishes regarding cemeteries and graveyards. The event had been very useful and might be of interest to other parishes.

103. Citizens Advice South Somerset (Agenda Item 8)

The Chairman welcomed Angela Kerr, Chief Executive Officer of Citizens Advice South Somerset (CASS) to the meeting, who provided members with a presentation about the work and future development of CASS. The presentation included information about:

- Aims and principles of CASS
- Vision and service charter
- The type of help provided
- Statistics about the number of clients helped and types of client issues
- Projects and ambitions for the future
- Accessing advice services in Somerset
- Recruitment and training of volunteers

During discussions the Chief Executive Officer of CASS responded to queries and comments from members, and noted the suggested contacts which members thought would be useful.

Members thanked and congratulated the Chief Executive on the work of CASS. Councillor Sylvia Seal, as Portfolio Holder for the third sector, particularly wish to thank CASS for the way they worked with SSDC to benefit the community, and noted they had excellent working relationships with other agencies.

The Chairman thanked the officer for her informative presentation.

104. Grant to Somerton Town Council (Executive Decision) (Agenda Item 9)

The Neighbourhood Development Officer presented the application as detailed in the agenda and explained by the funding was being sought.

In response to a comment made during a brief discussion about the lack of funding from other sources, the Clerk for Somerton Town Council explained that over recent years the Town Council had successfully achieved significant grant funding for a number of larger projects in the town. This particular project was one that needed to be proceeded quickly to maximise benefits, but there was also a need to consider the money versus effort aspect.

Ward member, Councillor Stephen Page, spoke of the benefits of the project and expressed his support for the proposal.

It was proposed to award the grant as per the officer recommendation, and on being put to the vote, this was carried unanimously.

RESOLVED: That a grant of £3,280.17 be awarded to Somerton Town Council, to be allocated from the Area North Community Grants budget, subject to SSDC standard conditions for community grants.

Reason: To consider the awarding of funding towards the costs of new projector equipment and signage as the Edgar Hall in Somerton.

(Voting: Unanimous in favour)

105. Area North Development Plan and Budget - Half Year Progress Report (Agenda Item 10)

The Area Development Lead (North) presented the report as detailed in the agenda and reminded members of the Area North priorities. She provided a short presentation highlighting examples of work and projects supported by the team, and to show the progress of some community projects.

During discussion members expressed their thanks to all the team for their work. Progress and involvement with the Parrett Works and the Parrett Trail was queried. In response, the Area Development Lead agreed that an economic regeneration report would be brought to the March 2017 meeting of Area North committee, to include an update on the work of the Area North Regeneration Board.

Members were content to note the report and appendices.

RESOLVED: It was resolved that:

- 1) The progress with projects in the Service Action Plan be noted.
 - 2) The current position on community grants be noted.
 - 3) The current position with the Area North capital programme and reserve be noted.
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106. Area North Committee Forward Plan (Agenda Item 11)

The Assistant Director (Communities) informed members of the following changes to the Area North Committee Forward Plan:

- An annual report on Welfare Advice would be on the agenda for January
- The Annual Area North Meeting on 9 Feb 2017 is now a confirmed date
- Reports for the Streetscene service and Countryside service would be programmed for March / April

- Following discussion at the Area Development Plan item earlier on the agenda, a report on Economic Development and Regeneration in Area North would be programmed for March.

During a brief discussion it was suggested that feedback from the Area North Regeneration Board meetings was incorporated into an Economic Development report, and this was agreed by the Assistant Director.

RESOLVED: That the Area North Committee Forward Plan be noted, including the following updates:

- Welfare Advice report – to be added for January
- Annual Area North Meeting confirmed for 9 Feb 2017
- Streetscene service and Countryside service reports - to be added for March / April
- A report on Economic Development and Regeneration in Area North – added for March.

107. Planning Appeals (Agenda Item 12)

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

108. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)

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

109. Planning Application 16/03780/FUL - Land Adjoining Church, Hambridge. (Agenda Item 14)

Proposal: Proposed church car park and erection of a dwelling (revised scheme).

The Planning Officer presented the application as detailed in the agenda, noting that land within the blue line to the East would be used as overflow parking for the church, and that a pathway to the north to link with the school was being pursued by the parish council. He also highlighted the cluster of listed buildings neighbouring the church.

He updated members that additional information had been received from the applicant that included a letter from the vicar in support of the application and commenting that the car parking proposed might help access to the church. Reference was also made to the future footpath, which if done, would improve access between the church and the school.

The officer noted the principle of development was no longer a main reason to object to the proposal. The main consideration was the impact on the heritage assets and he drew attention to the comments of the Conservation Officer. He suggested if members were minded to refuse the application, that there should be a slight amendment to the wording of the reason so that it also included reference to scale and the car parking.

Mr S Denley, representative for Hambridge & Westport Parish Council, and Mr N Thompson representing the local school, spoke in support of the application. Their comments included:

- The Parish Council had not received any objections to the proposal.
- Development has been considered in a sympathetic way and will not be detrimental to the area.
- Funding for the footpath has been confirmed by the County Council but the timeframe for installation is unknown.
- The school regularly use the church for events and festivals, and occasionally for services and some lessons – this requires walking 400 yards along the B road or using a mini bus.

The applicant Mr M Rose and Mr C Miller, agent, then addressed members and their comments included:

- Family have lived in the village for centuries.
- Proposal was initiated by the community and was approached by the parish council to help in the delivery of a footpath
- There is support for the whole package, and the Victorian Society no longer object to the design, and there is benefit to the community plus parking and security for the church.
- Report confirms this is a sustainable location so only issue is harm upon listed building and heritage assets.
- Community will get a path and 8 parking spaces and there will be a legal agreement for use and maintenance in perpetuity.

Ward member, Councillor Sue Steele, noted the applicant was manager of the village nursing home and he was a key worker in the village, and it would be good for him to be nearby. Hambridge was a good village community and the house is wanted. She very much supported the proposal and felt the dwelling would fit in with the local area.

During discussion varying views were expressed and some of the comments included:

- Feel there are good benefits to the community and the proposal should be supported
- Will be detrimental to historical buildings, don't feel benefits outweigh the harm
- There is a large new agricultural building visible in photographs of the application site
- Path likely to be provided anyway if funding has been approved
- Idea of car park is laudable but agree with officer recommendation.
- Road is dangerous
- It's a difficult case but feel there will be an impact on the heritage asset.
- It could be argued that the issue of believing if the proposal will have a detrimental impact is subjective

It was proposed and seconded to approve the application, contrary to the officer recommendation, on the grounds it was considered that the proposal would not be detrimental to the locality and would not cause significant harm to the setting of the church and listed buildings and it would provide community benefits.

Before voting, the Legal Services Manager advised that members needed to be clear about wording within a Section 106 agreement. She reminded members that an agreement could say for perpetuity but someone could apply to modify a Section 106

agreement in the future. She noted that officers could try to negotiate for a land transfer or Unilateral Undertaking instead.

In response, the Planning Officer informed members that to date the church had indicated they did not want the responsibility for maintenance of the parking area. The Development Manager also noted if the application was approved that standard conditions would be required.

Voting for the proposal to approve the application was 4 in favour and 4 against with no abstentions. Taking the report, comments and representations into account, the Chairman used her vote in favour of the proposal.

The Development Manager clarified with members that regarding church parking within the Section 106 agreement, that they wished officers to pursue transfer of the land to the Church or Parish Council, and this was agreed. Should it not be possible to transfer the land to the Church, Parish Council or other appropriate body, it was agreed that the application should be brought back to committee for further consideration.

RESOLVED: That planning application 16/03780/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

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 the car park is transferred to the Church, Parish Council or other appropriate body.

Justification:

01. The proposed development, by reason of its siting, size, scale and materials, will have no adverse impact on the on the setting of the adjoining church and associated group of heritage assets. Furthermore, it will have no adverse effect on local landscape character, visual or residential amenity and highway safety. As such the proposed development is considered to accord with the aims and objectives of policies SD1, SS1, SS2, TA5, TA6 EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4, 6, 7, 11, 12 and the core planning principles of the National Planning Policy Framework.

Subject to 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: 15/015205/01 'A' and 15/01525/02 'B', received 5th September 2016.

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

03. No development shall be carried out on site unless particulars of materials (including the provision of samples) to be used for the external surfaces of the development hereby approved has submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the adjoining heritage assets, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

04. No development shall be carried out on site 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 after the development hereby permitted is first brought into use; 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: In the interests of visual amenity and to safeguard the character and appearance of the adjoining heritage assets, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

05. The area allocated for parking and turning on submitted plan 15/01525/02 'B', indicated as serving the dwelling hereby permitted, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the occupation of the dwelling hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

06. There shall be no obstruction to visibility greater than 900mm above the adjoining road level within the visibility splays, as indicated on the submitted plan 15/01525/02 'B'. Such visibility splays shall be fully provided before the dwelling hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with

policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

07. The proposed access over the first 6.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced, in accordance with details indicated on the submitted plan 15/01525/02 'B'. Such approved details shall be carried out prior to the occupation of the dwelling hereby approved and thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

08. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, in accordance with details indicated on the submitted plan 15/01525/02 'B'. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwelling hereby permitted without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the adjoining heritage assets, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby approved and no buildings or other structures including ponds, pools, walls, fences, gates or other means of enclosure are to be built within the curtilage of the dwelling without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the adjoining heritage assets, in

accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

(Voting: 5 in favour, 4 against, 0 abstentions)

110. Planning Application 16/04421/FUL - Orchard Land Adjoining Tuppence House, Stembridge, Martock. (Agenda Item 15)

(Councillor Clare Aparicio Paul, having declared a Disclosable Pecuniary Interest (DPI) left the meeting prior to the presentation and consideration of this planning application.)

Proposal: Change of use and laying of concrete base for temporary siting of pony shelter.

The Planning Officer, on behalf of the case officer, presented the application as detailed in the agenda, noting the only reason it was before members was due to the applicant being an SSDC Councillor. He explained that the application was not for a pony shelter but only for a concrete base on which to stand a shelter for part of the year, and for change of use of the land. He noted that grazing of a pony on the land did not in itself require planning permission.

Mr K Manton spoke in objection to the proposal and asked for two further conditions. He felt conditions were needed to require all the land belonging to Tuppence House to have a stock proof fence around it, and that all other conditions relating to the house should be carried out as he understood they should have been resolved prior to occupation.

Mr M Beech, addressed members in a personal capacity in support of the application. He reiterated to members that permission was effectively only being sought for a concrete pad.

Ward member, Councillor Derek Yeomans, commented that the pad element is retrospective but it did not impact on anyone else and there was a good fence between the pad and the neighbouring property. He agreed with the officer recommendation.

During a short discussion, some members expressed disappointment at the retrospective element of the application, but most members had no issues with the proposal and it was proposed to approve as per the officer recommendation. In response to a query, the Development Manager clarified that a permanent structure would require another application and therefore it was not appropriate to add a condition for no permanent structure but it could be added as an informative.

As members were minded to approve the application, the Planning Officer suggested it would be appropriate to remove condition 1 as detailed in the report, as effectively the development had already been completed. He also noted with regard to the comments made by a member of the public, that it was not possible to add their requests as both would fail tests under planning conditions.

On being put to the vote, the proposal to approve the application was carried 5 in favour, 0 against with 1 abstention.

RESOLVED: That planning application 16/04421/FUL be APPROVED, as per the

officer recommendation, subject to the following:

Justification:

The proposed development, by reasons of its nature, siting and scale, is not considered to cause any demonstrable harm to visual amenity, residential amenity or highway safety and to be in accordance with the aims and objectives of policies SD1, EQ2 and EQ8 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the location plan submitted 05/10/2016.

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

02. The development hereby permitted shall be used for private and domestic equestrian purposes only and shall not be used for any business or commercial use.

Reason: In the interests of local amenities to accord with policies EQ2 and EQ8 of the South Somerset Local Plan.

Informatives:

01. The applicant is advised that the granting of planning consent does not supersede any land ownership or rights of access queries that may be ongoing and that such matters must be dealt with separately between the relevant interested parties.

02. The applicant is advised that planning permission would be required should the building be sited permanently on the approved concrete base.

(Voting: 5 in favour, 0 against, 1 abstention)

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Chairman