

## South Somerset District Council

**Minutes** of a meeting of the **Area North Committee** held by video conference using Zoom meeting software on **Wednesday 24 March 2021**.

(2.00 pm - 3.30 pm)

**Present:**

**Members:** Councillor Adam Dance (Chairman)

Neil Bloomfield	Tiffany Osborne
Malcolm Cavill	Clare Paul
Louise Clarke	Dean Ruddle
Mike Hewitson	Mike Stanton
Tim Kerley	Gerard Tucker



**Officers:**

Debbie Haines	Locality Team Leader
Adrian Moore	Locality Officer
Stanley Norris	Specialist (Development Management)
Colin Begeman	Principal Planner (Development Management)
Angela Cox	Specialist (Democratic Services)
Michelle Mainwaring	Case Officer (Strategy & Support Services)

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

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### 161. Minutes (Agenda Item 1)

The minutes of the previous meeting held on 16 December 2020 were approved as a correct record and would be signed by the Chairman.

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### 162. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Crispin Raikes.

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### 163. Declarations of Interest (Agenda Item 3)

Councillor Mike Stanton declared an interest for item 8 – Community Grant to South Petherton Arts – as he contributed to the group.

Councillor Clare Paul declared a Disclosable Pecuniary Interest for item 14 – Planning Application 20/03416/HOU as she was one of the applicants.

Councillor Adam Dance declared a personal interest for items 8 and 9 – Community Grants to South Petherton Arts and South Petherton Bowls Club – as he was a member of South Petherton Parish Council which had provided funding towards both projects.

**164. Date of next meeting (Agenda Item 4)**

Members noted the next meeting of Area North Committee was scheduled for Wednesday 14 April at 2.00pm, and would be a virtual meeting using Zoom.

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**165. Public question time (Agenda Item 5)**

There were no questions from members of the public present at the meeting.

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**166. Chairman's announcements (Agenda Item 6)**

The Chairman made no formal announcements.

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**167. Reports from members (Agenda Item 7)**

Councillor Neil Bloomfield updated members about some significant investment for projects in Martock, including provision of additional seating and planting of several hundred trees at the recreation ground, plus installation of CCTV at several locations in Martock. He also noted that plans were being made to refurbish the pavilion.

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**168. Community Grant to South Petherton Arts (Executive Decision) (Agenda Item 8)**

The Locality Officer presented the report which asked members to consider awarding a grant towards replacing the roof at South Petherton Arts (David Hall). He advised that Tom Davies from South Petherton Arts was also present to help answer any questions or points of detail.

The Chairman asked the Democratic Services Specialist to read out some comments which had been supplied by Councillor Crispin Raikes, who had tendered his apologies for the meeting. As a ward member, he expressed his support for both the South Petherton Arts grant and also the Bowls Club grant.

As fellow ward member, the Chairman noted the David Hall was well supported and a vital asset in the community. He also fully supported the application.

Being no further comments, it was proposed to approve the grant application as detailed in the agenda report, and on being put to the vote, was carried unanimously in favour.

**RESOLVED:** That a grant of £9,992 be awarded to South Petherton Arts, the grant to be allocated from the Area North capital programme and subject to SSDC standard conditions for community grants (as detailed in appendix A to the agenda report) with a special condition added that the group set up a sinking fund for future maintenance of the hall.

**Reason:** To consider a grant request for financial assistance towards the cost of replacing the roof at South Petherton Arts (St David Hall).

*(Voting: Unanimous in favour)  
(one member was absent for the vote)*

**169. Community Grant to South Petherton Bowls Club (Executive Decision) (Agenda Item 9)**

The Locality Officer presented the report asked members to consider awarding a grant towards the purchase of all ability accessible toilets, clubhouse extension and storage facilities at South Petherton Bowls Club. He advised that Sue Boer from the bowls club was also present to answer any questions.

During a very brief discussion, the Locality Officer and Ms Boer responded to points of detail including:

- Comfortable that all necessary policies and safe-guarding protocols were in place.
- The club actively tries to recruit people of all ages - not just in South Petherton but also the wider area.

Being no further comments, it was proposed to approve the grant application as detailed in the agenda report, and on being put to the vote, was carried unanimously in favour.

**RESOLVED:** That a grant of £12,500 be awarded to South Petherton Bowls Club, the grant to be allocated from the Area North Community Grants Programme and subject to SSDC standard conditions for community grants (as detailed in Appendix A to the agenda report).

**Reason:** To consider a grant request for financial assistance towards the purchase of all ability accessible toilets, clubhouse extension and storage facilities at South Petherton Bowls Club.

*(Voting: Unanimous in favour)*

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**170. Community Grant to Kirkham Street Field Community Trust (Executive Decision) (Agenda Item 10)**

The Locality Officer presented the report asked members to consider awarding a grant towards the purchase of part of Kirkham Street Field, Somerton. He advised that John Dippie and Margaret Chambers from the Kirkham Street Field Community Trust were also present to answer any questions.

He provided an update to the project funding plan as there had been a change since the agenda had been published. The Trust had recently been notified that unfortunately they had been unsuccessful with their funding application for £65,000 to the Somerset County Council Climate Change Emergency Community Fund. The Locality Officer asked members to support the Trust with grant funding as it was likely help to lever in and attract other sources of grant funding.

The Chairman expressed his disappointment that the bid to the county climate change fund had been unsuccessful.

Ward member, Councillor Dean Ruddle, acknowledged the Trust had worked extremely hard with fundraising. He note the field was the only area of green space left in that area of town and that Somerton Town Council were fully supportive of the project. He agreed that the district council should help to try and get the project over the line.

Fellow ward member, Councillor Tim Kerley, reiterated the community support for the project, and noted the field had been well used by the community for many years even before it was a school field.

During a lengthy discussion, members expressed their support for the project, but some also raised their disappointment that the County Council were not doing more to support the local community.

The Locality Officer responded to points of detail raised during discussion, and some of his points included:

- It was not known at this stage what the intentions were for the wider site and remainder of the field.
- There may possibly be a time-limit for the allocation of the SSDC grant funding but the application could return to members for consideration if needed. The money would remain within the Area North budget until such time as it was released when the project progressed.
- There was currently no formal extension of time with the County Council to secure funding for purchasing the field. Each time the site was marketed it was noted that it was an Asset of Community Value.

At the end of discussion the Chairman asked if the County Division members could liaise with the ward members to help try and progress the project and source information about timeframes from the relevant department at the County Council, and this was acknowledged by the relevant members.

It was proposed to approve the grant application as detailed in the agenda report, and on being put to the vote, was carried unanimously in favour.

**RESOLVED:** That a grant of £12,500 be awarded to Kirkham Street Field Community Trust, the grant to be allocated from the Area North Community Grants Programme and subject to the conditions for community grants (as detailed in Appendix A to the agenda report).

**Reason:** To consider grant funding towards the purchase of part of Kirkham Street Field, Somerton.

*(Voting: Unanimous)*

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## **171. Area North Committee Forward Plan (Agenda Item 11)**

A ward member noted the item from Somerton Conservation had been on the Forward Plan for a considerable time. He asked for the item to be progressed or removed from the Forward Plan. The Chairman acknowledged the comments and noted he would work with officers to source an update regarding the item.

Members were content to note the Area North Forward Plan.

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## **172. Planning Appeals (Agenda Item 12)**

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

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**173. 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.

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**174. Planning Application 20/03416/HOU - Tuppence House, New Cross Hill, Stembridge. (Agenda Item 14)**

*(Councillor Clare Paul, having earlier declared an interest as one of the applicants, left the meeting for presentation and consideration of this item).*

***Proposal: Replacement of outbuilding with carport and home office.***

A member raised a query prior to presentation of this item and queried if it was appropriate for members to be considering the current application at this time. In response, the Specialist Principal Planner advised that outstanding points from a previous permission were included within the officer presentation for the current application before members for consideration. The Chairman requested that the officer proceed with his presentation.

The Specialist (Development Management) presented the application as detailed in the agenda report, He provided an update to members regarding Ecology comments which had been received since the agenda had been published. If members were minded to approve the application, Ecology had requested informatives and a revised condition, which were detailed to members in a presentation slide.

During his presentation, the officer detailed the points in the neighbour objection which included that the old dairy structure should have been demolished as part of the previous permission.

The Specialist (Development Management) explained in further detail elements of the previous permission relating to the old dairy structure, and acknowledged there was some ambiguity with the wording in the conditions when considered with the scheme plans and annotation on the plans.

Before debating the application, some members asked for points of clarification from the officer. The Specialist (Development Management) noted that:

- The old dairy structure was an old metal milking dairy unit on a concrete base.
- The application would still likely be deemed acceptable if the old milking unit wasn't there.
- The Specialist (Legal) had provided a written statement about the possibility of applying a Section 106 obligation, and this was read out to members. In her opinion the conditions allowed the proposed building only to be used ancillary to main the dwelling, and if it was used for any other purpose then it would be subject to enforcement action or require a fresh planning application. Certain criteria needed to be met to apply a Section 106 obligation, and if members were minded to require one, then valid planning reasons would need to be provided as to why such an obligation was necessary.

Ward member, Councillor Mike Stanton, noted he had spent much time considering the application and looking into the planning history of the site. He believed no complaints had been received about the dairy unit still being there in the 9 years since the previous permission. He noted that the application and the neighbour objection had been debated by the parish council and the parish council did not consider there was any issue. He felt the proposal was acceptable and that a Section 106 obligation was not necessary.

During a lengthy discussion mixed views were raised. Some of the points included:

- Application should be deferred for applicant to fulfil previous conditions before considering a new application.
- No point having conditions if they are not checked. Feel something stronger than conditions is needed.
- Inconsistencies with the planning history are a concern.
- Don't feel a Section 106 is needed.
- Officers have acknowledged that wording on the previous permission is ambiguous.
- Officers and consultees have no raised any major issues or objections.
- The dairy unit isn't a building as such, it's a milking bell which is a temporary structure with a concrete base.
- If this wasn't a member application it wouldn't be before Committee for determination.
- Don't consider this proposal meets the criteria to require a Section 106 obligation.

It was initially proposed to defer the application for one month, as this would allow time for the structure to be demolished, and for applicant to fulfil previous conditions. However the proposal was not seconded, so it fell.

It was then proposed to approve the application, as per the officer recommendation, including the revised condition and additional informatives for ecology as detailed in the officer presentation. On being put to the vote, the proposal was carried 4 in favour, 2 against, with 3 abstentions.

**RESOLVED:** That planning application 20/03416/HOU be APPROVED as per the officer recommendation, subject to a revised condition and informatives for ecology.

**Justification:**

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity, Highways safety or protected species, in accordance with the aims and objectives of Policies SD1, EQ2, EQ3, EQ4, TA5 and TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

**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 reference:

- 673(PL)01A Location and Site Plans,
- 673(PL)02- Proposed building,
- Design & Access Statement,

and the external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

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

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the outbuilding hereby permitted shall only be used for purposes ancillary to the main dwellinghouse.

Reason: In the interests of residential amenity and highway safety and to comply with Policies EQ2 and TA5 of the South Somerset Local Plan 2006 -28.

04. a) Two Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation  
b) Two bat adapted tiles will be placed on the eastern pitch of the new building, creating a crevice between the tiles and bitumen felt beneath. Where the bat adapted tile is installed, only type 1F bitumen felt should be used as weatherproof membrane.  
c) A bee brick built into the wall about 1 metre above ground level on the south or southeast elevation of the dwelling. Please note bee bricks attract solitary bees which do not sting

Photographs of the installed features will be submitted to the Local Planning Authority prior to first occupation of the garage/workshop.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework.

#### **Informatives:**

01. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

02. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

*(Voting: 4 in favour, 2 against, 3 abstentions)*

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Chairman