

South Somerset District Council

Minutes of a virtual meeting of **Area North (Informal)** held by video-conference on **Wednesday 22 April 2020.**

(2.00 pm - 3.30 pm)

Present:

Members: Councillor Adam Dance (Chairman)

Neil Bloomfield	Clare Paul
Malcolm Cavill	Crispin Raikes
Adam Dance	Dean Ruddle
Mike Hewitson	Mike Stanton
Tim Kerley	Gerard Tucker
Tiffany Osborne	



Also Present:

Andy Kendall
Linda Vijeh

Officers:

Adrian Moore	Locality Officer
Jacqui Churchill	Development Management Case Officer
Colin Arnold	Specialist (Development Management)
Paula Goddard	Specialist - Legal Services
Tim Cook	Locality Team Manager
Debbie Haines	Locality Team Leader
Netta Meadows	Director (Service Delivery)
Martin Woods	Director (Place)
Cara Cheshire	Case Officer, Strategy and Commissioning
Angela Cox	Specialist - Democratic Services
Becky Sanders	Case Officer (Strategy & Commissioning)

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

1. Apologies for Absence (Agenda Item 1)

An apology for absence was received from Councillor Louise Clarke.

2. Declarations of Interest (Agenda Item 2)

There were no declarations of interest.

3. Public Question Time (Agenda Item 3)

There were no questions from members of the public.

4. Chairman's Announcements (Agenda Item 4)

The Chairman explained at the start of the meeting that this was a consultative meeting and decisions taken would need to be confirmed by the Chief Executive Officer. Voting would be made by a named vote. He also advised that the meeting was being streamed live to YouTube so that members of the public could view the meeting.

5. Community Grant to Hamdon Community Arts Project (Agenda Item 5)

The Locality Officer introduced the report which asked members to consider the awarding of a grant towards the purchase of the ex-United Reformed Church (URC) in Stoke Sub Hamdon by the Hamdon Community Arts Project (HCAP). He commented that all information was in the report and noted Peter Hulett from the HCAP was also present to answer any questions.

Ward Member, Councillor Mike Hewitson expressed his support for the project and recommended it for approval. He highlighted that Mr Hulett and his team had significant experience of delivering community projects for Stoke Sub Hamdon. This was a large project that had a number of features for the community, and would be an excellent facility for the village and surrounding area.

During a short discussion, several members expressed their full support for the project and commended the work of Mr Hulett and his team. There were no questions or further discussion. It was proposed to approve the grant as per the officer recommendation, and on being put to the vote was carried unanimously.

The Chairman thanked Mr Hulett and the HCAP for all that they did for the community, and also thanked the Locality Officer for assisting the group to bring the grant forward.

RESOLVED: That Area North members recommend that the Chief Executive Officer approves the awarding of a grant of £12,500 to Hamdon Community Arts Project (HCAP), 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 of the agenda report).

Reason: To consider grant funding towards the purchase of the ex-United Reformed Church (URC) in Stoke Sub Hamdon by the Hamdon Community Arts Project.

(Voting: Unanimous in favour)

6. Area North Forward Plan (Agenda Item 6)

There was no discussion and members were content to note the Forward Plan.

RESOLVED: That the Area North Forward Plan be noted.

7. Schedule of Planning Applications to be Considered by Members of Area North Committee (Agenda Item 7)

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

8. Planning Application 19/03241/OUT - Land East of Keepers Lodge, Little Norton, Norton Sub Hamdon. (Agenda Item 8)

Proposal: Outline application for the erection of 1 No. dwelling with all matters reserved except access.

The Case Officer presented the application as detailed in the agenda report and highlighted the key considerations.

The Agent then addressed members and some of his comments included:

- He and the applicant agreed with the recommendation, approach and conditions detailed in the officer report.
- A similar application had been approved at another location nearby.
- The proposal did not require any hedges to be removed and simple measures could be taken to protect the Ash tree of local concern.
- Income from the self-catering holiday business at Little Norton Mill would part fund the proposal.

Ward member, Councillor Mike Hewitson, noted Little Norton was an isolated settlement and as such he was concerned about the impact on the environment and local area. Whilst the aspirations for virtual meetings were acknowledged, he noted some members of the community were unable to access meetings in such a way, as was the case for the immediate neighbours of this application. He shared with members the relevance of the Ash tree of concern and that it had been planted to commemorate the birth of a family member, and he also commented that:

- he had similar concerns to the Parish Council
- shared the view of the Tree Officer regarding the potential impact on trees
- shared the view of some of the objectors that the proposal was against some policies in the NPPF.
- concerns had been raised locally about highway safety as the junction to the lane was on a sharp bend and farm traffic often used the lane.

During discussion, several members expressed concerns about the proposal including:

- The site is quite a distance from the local shop, possibly almost 2.5km, and there is little pavement.
- The site is in the foothills of the Country Park.
- Feel it is an inappropriate site for such development and not in a sustainable location.
- There have been prior refusals in nearby vicinity.

The Case Officer and Specialist (Development Management) responded to points of detail, including:

- Clarity about the planning permission and appeal on the neighbouring site.
- Distance to the local shop based on SSDC mapping system was approximately 1.2km and confirmed there was little pavement but some street lighting along the route.

- Advice was to omit reference to case law in any planning reason if minded to refuse the application.

At the end of debate it was proposed to refuse the application, contrary to the officer recommendation, on the grounds of sustainability and policy SS2, environment and being against policies EQ2 and EQ5 and also against policies in the NPPF. The Case Officer then suggested the exact wording for the two reasons for refusal, which was agreed by members.

On being put to the vote, the proposal to refuse the application was carried unanimously.

RESOLVED: That members of Area North Committee recommend to the Chief Executive that planning application 19/03241/OUT be REFUSED, contrary to the officer recommendation, for the following reasons:

01. The proposal would provide a new dwelling in an unsustainable location, isolated from key services, which has not been appropriately justified. By reason of the lack of a safe means of access, by foot or cycle, the application site is poorly related to local services and as such will increase the need for journeys to be made by private vehicles. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SS2 and TA5 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

0.2 It has not been demonstrated that the proposal will not result in the loss or harm of trees, resulting from the access off the highway into the site thereby adversely affecting local distinctiveness, contrary to policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

(Voting: unanimous in favour)

9. **Planning Application 19/03358/FUL - Ark Farm, New Manor House Road, High Ham. (Agenda Item 9)**

Proposal: Stationing of a twin unit mobile home for use as a permanent agricultural workers dwelling.

The Specialist (Development Management) presented the report as detailed in the agenda, highlighting that the applicant was seeking to make the existing temporary permission for a dwelling to be permanent permission. He explained that the main issues were the principle of the permanent permission and the amount of land in ownership or occupied by the applicant, and hence viability. He highlighted the key considerations and the consequences of refusing the application regarding enforcement.

A representative for the applicant and the agent addressed members in support of the application, and some of their comments included:

- Wrong to not support farmers who lease rather than own land.
- Business and applicant were well supported by the local community.

- Applicant is young and it's a growing the business, already negotiating leasing further land.
- The land tenanted and stock holding has increased in the last few years.
- The financial need test has been met.
- Officer recommendation is based on the applicant's tenure of land.
- The building is essential to the business.

Ward member, Councillor Gerard Tucker, commented he was surprised that the officer recommendation was for refusal. The functional need for a dwelling had been met and he noted the business had grown by more than 30% in three years. Whilst a concern to the officer about the amount of land that was leased from multiple owners rather than owned by the applicant, he argued that it could be seen as a strength as if one owner ceased to lease some land then the business could still continue. He felt the proposal met policies and provided local employment. If refused, members would be going against Area+ principles and the Area Chapter of the Council Plan. The financial viability test had also been met and there was a need to not only look at profit but also investment and growth. He supported the application and recommended approval.

During discussion, members expressed their support for the application, and some of the comments made included:

- The applicant had made a go of the business since the temporary permission granted, Have no issue with supporting a permanent dwelling.
- Applicant has done well.
- Often little choice except to rent land nowadays as land prices have increased and owners not wanting to sell land.
- Should be supporting farmers.

It was proposed to approve the application, contrary to the officer recommendation, on the grounds of sustainability and the proposal meeting policies.

In response, the Specialist (Development Management) advised that the justification could refer to the functional and financial need having been adequately met. He also advised if members were minded to approve the application that a condition would be required for an agricultural tie.

In response to a question raised, the Legal Specialist advised that she was not aware of any changes in legislation regarding agricultural ties and she confirmed the tie for this application would be regarding agricultural occupancy. Regarding a question about a specific example of an agricultural tie elsewhere, it was agreed officers would look at the example and provide clarification to members or at the next meeting.

On being put to the vote, the proposal to approve the application was carried unanimously.

RESOLVED: That members of Area North Committee recommend to the Chief Executive that planning application 19/03358/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

It was considered that the financial test and functional needs tests were adequately demonstrated through the application and the proposal complied with Policy HG9 of the South Somerset District Local Plan

Subject to the following agricultural occupancy condition:

1. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

(Voting: Unanimous in favour)

10. Planning Appeals (for information) (Agenda Item 10)

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

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Chairman