

South Somerset District Council

Draft Minutes of a meeting of the **Area South Committee** held at the **Council Chamber Council Offices Brympton Way on Wednesday 1 April 2015.**

(2.00 - 4.35 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

Cathy Bakewell	Pauline Lock
Tim Carroll	Tony Lock
Marcus Fysh	Ian Martin
Nigel Gage	John Richardson
Jon Gleeson	Gina Seaton
Andy Kendall	Peter Seib

Officers:

Jo Boucher	Democratic Services Officer
Kim Close	Area Development Manager (South)
David Norris	Development Manager
Andrew Collins	Planning Officer
Natalie Ross	Neighbourhood Development Officer

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

116. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South meeting held on 4th March 2015 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

117. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors John Vincent Chainey, Tony Fife, Dave Greene, Graham Oakes, Wes Read and David Recardo.

118. Declarations of Interest (Agenda Item 3)

Councillor Pauline Lock declared a personal and prejudicial interest in Agenda Item 9 – Land Off Stone Lane, Yeovil as the applicant is known to her. She is also a member of Yeovil Without Parish Council.

Councillor John Gleeson declared a personal interest in Agenda Item 9 – Land Off Stone Lane, Yeovil as he is a member of Yeovil Without Parish Council.

119. Public question time (Agenda Item 4)

There were no questions from members of the public.

120. Chairman's announcements (Agenda Item 5)

The Chairman updated members on:

- Signage for Wyndham Street and a traffic survey agreed with SCC.
 - Thanked current members for all their hard work and efforts over the last four years, particularly Cllr Tony Fife who had been a councillor for 32 years.
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121. Reports from representatives on outside organisations (Agenda Item 6)

Members were informed that:

- An SSDC grant recently awarded to Yeovil Tennis Club had now helped in opening a new tennis court offering wheelchair tennis and other excellent opportunities.
 - Councillor Ian Martin had recently attended the First Great Western Rail Annual Conference who had been given assurance for additional rolling stock on the HOW rail.
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122. Schedule of Planning Applications to be Determined by Committee (Agenda Item 7)

Members noted the Schedule of Planning Applications.

123. Planning Application 15/00283/ADV - Yeovil Recreation Centre Chilton Grove Yeovil (Agenda Item 8)

The Planning Officer presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans.

He explained the application has been referred to committee as SSDC are the applicant and referred to the key considerations being the effect upon visual amenity and impact on public safety.

In response to members' questions the Planning Officer explained:

- Only the welcome sign would be fixed to the outside fencing, all other board signs were single sided facing inwards.
- Confirmed the signs would be made of acceptable material with low noise impact.

Viv Cornelius then addressed the committee and spoke in objection to the application. She voiced her concern regarding the noise impact the hockey balls would have on

hitting the boards, however was pleased that the material had been changed to mitigate this issue.

During a short discussion members raised several issues including the following:

- Considered the signs were unobtrusive and would have minimal visual impact on the surrounding area.
- Request that a condition be made to ensure the backing material of the signs be of 'uniform green' to assimilate with the surrounding area
- A member voiced concern regarding the impact of noise for local residents.

The Locum Planning Solicitor advised members that legislation is in place to deal with any noise issues that may arise in the future and that this was not a consideration for members.

It was then proposed and subsequently seconded that planning permission be approved as per the officers recommendation and as set out in the agenda report and subject to the condition regarding the colouring of the signs. On being put to the vote this was carried by 10 votes in favour, 1 against and 2 abstentions.

RESOLVED:

That application **15/00283/ADV** be approved for the following reason:

01. The proposal, by virtue of the siting, design, number, materials, scale and non-illumination is in keeping with the character and appearance of the surrounding area, causes no harm to visual or residential amenity and does not prejudice public safety and is in accordance with the aims and objectives of policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the principles of the National Planning Policy Framework (2012) and the NPPF Chapter 7: Requiring Good Design.

SUBJECT TO THE FOLLOWING:

01. (a) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- (b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
- (c) Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- (d) Before any advertisement is displayed on land in accordance with the consent now granted, the permission of the owner of that land, or of a person entitled to grant such permission, shall be obtained.
- (e) The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan for proposed signage and block plan date stamped as received 29 January 2015, two photograph montages date stamped as received 15 January 2015 and with the confirmation of material of the 30 advertisements (number 2) for the spectator fencing as vinyl as confirmed by the applicant via e-mail dated 11 March 2015

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

03. The 30 advertisements (to be located on the inner mesh fence) hereby approved shall be backed in a uniform green or grey colour.

Reason: In the interests of visual amenity and to comply with EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the principles of the National Planning Policy Framework (2012) and the NPPF Chapter 7: Requiring Good Design.

(voting; 10 in favour, 1 against, 2 abstentions)

124. Planning Application 15/00763/FUL - Land Off Stone Lane Yeovil (Agenda Item 9)

(Having earlier declared a Personal & Prejudicial interest Councillor Pauline Lock left the room during consideration of this item).

The Planning Officer presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans. He also updated members on several points including the following:

- Referred to SCC Highways comments which had been received and emailed around to members for their information prior to committee.
- Agent has referred to new Planning guidance changes in relation to providing housing for elderly people. However this is not considered to change planning Policy's opinion.
- Further discussions and changes, with the submission of amended plans submitted by the applicant following discussions with the SSDC arborist regarding the protected trees and landscaping scheme. However, the SSDC arborist still raises some objections to the scheme.
- Recent changes to CIL Legislation may necessitate a reduction in Sport, Arts and Leisure contributions, should members be minded to approve the application.
- An additional letter of support for the application had been received.

In response to members' questions, the Development Manager and Planning Officer explained:

- The Highway Authority raised no objection to the application subject to conditions as set out in their response.

- A travel plan was submitted with the application and bus routes were available at Stone Lane and Combe Street Lane.
- A Provisional Tree Preservation Order (TPO) was made on site on 6th March 2015. SSDC have a responsibility to apply TPO's in the interim of a pending planning application should it be considered necessary.
- The site is located outside of the Local Plan development limit.
- The site lies alongside the Yeovil Development Limit.

Iris Coton from Yeovil Without Parish Council spoke in support of the application. She said the Parish Council were unanimously in support of the application and thought it was a very tasteful and exciting scheme and that there was a genuine need within the parish and town for this type of development. She also believed the application was nearby local bus services, local shops and doctor's surgery and that local education needs was not a concern for this scheme. She hoped that members support the application and the need for local housing for the elderly.

Members of the public and residents of Stone Lane then addressed the committee and raised several comments in support of the application, which included the following:

- The proposed scheme meets a growing need for the older generation as offers the opportunity of older residents to downsize but remain in the local area.
- Mudford Parish Council is in full support of the application.
- Excellent well thought out scheme and the layout and density of the scheme is appropriate.
- Proposed pedestrian link will enable easy access to local bus routes and shops nearby.
- Single storey bungalows would have minimal impact upon existing properties and surrounding area.
- Huge need for the provision of a retirement village in Yeovil.

John Snell, the applicant then addressed the committee. He believed there was a need for a retirement village in the area due to the growing elderly population. He said no other developments in Yeovil have made provision for retirement dwellings and that he was grateful for the support of the local residents. He said the scheme would be wheelchair compliant, using local suppliers and materials to work together to produce an excellent warden assisted village for the local area.

Matt Frost, the agent also addressed the committee. He appreciated the proposed development was outside the development limit however it was not in a remote location. Referring to the South Somerset Local Plan Policy HG6 he believed the proposal offered suitable accommodation which met the policy definition requirement and would be built to a particularly high standard. He also appreciated the importance of TPO's but believed that a recent meeting with the SSDC arborist had dealt with any previous concerns and hence the submitting of the recently amended plan.

In response to members questions the Development Manager explained that:

- The landscape scheme including the trees could be resolved should members be minded to approve the application.
- Members should consider whether the specific housing needs outweigh any concerns in order to make exception to policy.

Councillor Jon Gleeson, Ward member voiced his support for the application. He felt it was an excellent quality development within a safe contained site with minimal impact on the visual amenity of the area. He believed the concerns regarding the trees could be overcome and that the application had been submitted prior to the new Local Plan being adopted. He agreed there was a need for more bungalows for the elderly population and noted that both parish councils were in support of the application.

During members discussion several comments were made including the following:

- Refreshing application for the town.
- Why are we refusing these applications when there is evidence of local need?
- Felt concern regarding the trees could be resolved.
- Available bus services nearby.
- Appreciated the nervousness of setting a precedent however felt the need for the growing elderly population outweighed this concern.
- Imaginative, thoughtful and unique design which integrates well into the surrounding countryside.
- The site lies alongside the Yeovil Development Limit.
- Desperate need for this type of development which meets the growing requirement for the older generation.

It was then proposed and subsequently seconded to refuse the application as per the officers recommendation as set out in the agenda report. On being put to the vote this was lost unanimously

Following a further discussion, members, led by the Development Manager discussed and suggested conditions for approval of the application to include the following as read out by the Planning Officer:

- Subject to Section 106 requiring; (1) affordable housing(35% onsite), (2)age restriction (60+yr old), (3) maintenance of open space (4) community building to be completed upon 30% of occupation (5) Sports, Arts & Leisure Contribution.

Justification: The proposals for single storey low impact bungalows meet an identified accommodation for elderly people and outweigh any adverse impacts that may arise and the amended plans have addressed the concerns over the protected trees.

As such the proposals comply with Policies SD1, SS5, SS6, HW1, EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

- Conditions to include:
 - Time limit
 - Landscaping
 - Materials
 - Attenuation Pond
 - Surface Water
 - Protection of Trees
 - Ground Levels
 - Lighting
 - Vehicle construction hours

Following a short debate, members discussed policy relating to affordable housing and whether this could be met off-site via a financial contribution subject to viability.

The Development Manager advised members that SSDC policy guidance had a responsibility to ensure 35% on site affordable housing is delivered. He confirmed a developer could apply to vary a planning obligation subject to a viability assessment.

It was then proposed and subsequently seconded to approve the application subject to a Section 106 legal agreement and conditions as previously read out by the Planning Officer. On being put to the vote this was carried unanimously.

RESOLVED:

That application **15/00763/FUL** be approved for the following reason:

Justification: The proposals for single storey low impact bungalows meet an identified accommodation for elderly people and outweigh any adverse impacts that may arise and the amended plans have addressed the concerns over the protected trees.

As such the proposals comply with Policies SD1, SS5, SS6, HW1, EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

Legal Agreement

- 1) Restriction on age (60+)
- 2) Sports, Arts and Leisure
- 3) Affordable Housing (35% on site)
- 4) Maintenance of open space
- 5) Community building to be completed upon 30% of occupations

Conditions

- 1) 3 Yr Time Limit

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.

- 2) Submitted plans and subsequent amended plans

The development hereby permitted shall be carried out in accordance with the following approved plans: drawings 3374/001, 3374/004, 3374/005, 3374/006, 3374/007, 3374/008, 3374/009, 3374/010, 3374/011, 14888/T03, 14888/T04 and JS/Longcroft/010314-001A all received 11 February 2015 and amended drawings 3374/002A, 3374/003A, 3374/012, Tree Protection Plan (TPP Longcroft) and STL_005 rev B all received 31 March 2015 .

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

3) Details of retaining walls Details of materials especially cladding, stone, coursing and mortar mix and render colour and finish

No works shall be undertaken unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
- c. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d. details of all hardstanding and boundaries
- e. details of the rainwater goods and eaves and fascia details and treatment.
- f. details of retaining walls.

On approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028)

4) Landscaping

(i) No works shall be undertaken unless a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

(iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

5) Archaeology

No works shall be undertaken unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard any archaeological interests on the site in accordance with Paragraph 128 of the NPPF.

6) Ecological Management Plan

The development (including any site clearance) shall not commence until a 'Construction Ecological Management Plan' has been submitted to, and approved in writing by the local planning authority. The plan shall include details of provisions for any further wildlife surveys that may be appropriate, avoidance, mitigation and compensation measures for protected species, measures for ecological supervision of sensitive stages of construction, and details for the incorporation of features for the enhancement of biodiversity. The Construction Ecological Management Plan shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

Reason: For the protection and conservation of biodiversity and legally protected species in accordance Policy EQ4 of the adopted South Somerset Local Plan (2006-2028), and to ensure compliance with the Wildlife and Countryside Act 1981 and the Habitats Regulations 2010, and for the enhancement of biodiversity in accordance with NPPF.

7) Surface water drainage scheme - EA

No works shall be undertaken unless a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm an allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. In addition detailed information on the attenuation pond in reducing its attractiveness for wildlife shall be provided. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site and in the interests of aviation safety in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.

8) Management of agreed drainage scheme

No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.

9) Tree Protection Plan

Prior to implementation of this consent, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures based upon the submitted Tree Protection Plan relating to the protected trees on the site shall be submitted to and agreed in writing with the Council and it will include the following details:

- A specification relating to the installation of a permeable, anti-compaction cellular confinement system to construct the proposed access driveway and parking areas where it lies within the Root Protection Areas of the adjoining protected trees;
- rigidly-braced HERAS tree protection fencing;
- notwithstanding the agreed construction of the specially engineered driveway and parking areas, a commitment to avoiding machinery movements, ground-works, amendments to the soil (including rotavating & additions to soil-grade), the storage of materials, the mixing and discharge of cement liquids, the lighting of fires & the installation of below-ground services (including drainage & soak-aways) within the Root Protection Areas of the adjoining protected trees;

Upon approval by the Council, the measures specified within the agreed scheme of tree protection measures, 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 landscape features (trees) in accordance with the objectives within Policies EQ2 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

10) Levels

No works shall be undertaken unless details of the internal ground floor levels of the buildings to be erected on the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to achieve a satisfactory form of development in the interests of visual and residential amenity and further to Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

11) Lighting

No works shall be undertaken unless details of a street lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and no additional street lights installed without the written agreement of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

12) Cemp - especially lorries entering site. Deliveries. Working hours

No works shall be undertaken unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity in accordance with Policies TA5 and EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

13) Highways

No dwelling hereby approved shall be occupied unless the pedestrian build out has been fully constructed in accordance with the details shown in drawing 14888/T04.

Reason: In the interests of pedestrian safety and to encourage walking in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

14) Highways conditions as suggested by CHA.

The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

15) Highways

The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

16) Highways

The area allocated for parking on the submitted plan, drawing number 3374/002, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

17) Highways

The proposed vehicular access shall be constructed in accordance with details shown on the submitted plan, drawing number 14888/T03, and shall be available for use prior to commencement of development. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

18) Highways

At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing number 14888/T03 Such visibility splays shall be constructed prior to the

commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

(Voting: Unanimous)

125. Planning Application 14/05063/FUL - Moor End Nursery Moor Lane Hardington Moor (Agenda Item 10)

The Chairman explained to the committee that a Ward member had requested a site visit prior to this application being determined. It was therefore proposed and subsequently seconded that a site visit takes place to examine drainage and the mix of affordable housing as highlighted by the Development Manager. This was carried unanimously.

RESOLVED:

That application **14/05063/FUL** be deferred for a committee site visit.

126. Grants Report (Agenda Item 11)

The Neighbourhood Development Officer with the aid of slides presented the report as detailed in the agenda. She highlighted various grants awarded including:

- the success of the new tennis court at Yeovil Tennis Club
- longevity of the Golden Oldies Charitable Trust
- the growth of the Street Pastors
- benefits of the Hearing Loop at Abbey Community Hall.

Members noted the report and thanked the Neighbourhood Development Officer for all her hard work.

NOTED

127. Area South Development Update Report (Agenda Item 12)

The Area South Development Manager presented the report as set out in the agenda and outlined to members the areas of work and achievements during 2014/15. She highlighted key projects and services managed by Area Development South including:

- Continued work on Health & Inequalities at Westfield
- Loss of market supervisor however managed to absorb workload within the team
- Success of the re launch of Yeovil markets
- Working with SCC on the new dual use community hall and school building on the Lufton Housing Estate.
- Secured funding of £400,000 for Community facilities at Wyndham Park.
- Yeovil Youth Services
- Success of Yeovil Half Marathon

- Yeovil One Project – in partnership with Police focusing on crime prevention and Anti Social Behaviour.

During a short discussion members thanked the Area South Development Manager for a very comprehensive report and excellent work of her team. Members were happy to approve the Area Development South Interim work programme April-September 2015.

RESOLVED: That member noted the report and approved the Area Development South Interim work programme April-September 2015.

128. Forward Plan (Agenda Item 13)

No requests were made by members.

RESOLVED: (1) that the Area South Forward Plan and the comments of Members be noted.

(2) that the reports identified by Members be added to the Area South Forward Plan.

(Voting: Without dissent)

129. Appeals - For Information Only (Agenda Item 14)

Members noted the Planning Appeals.

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Chairman

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Date