

South Somerset District Council

Minutes of a meeting of the **Area South Committee** held at the **Council Chamber Council Offices Brympton Way on Wednesday 6 April 2016.**

(2.00 - 3.55 pm)

Present:

Members:

Cathy Bakewell	Tony Lock
John Clark	Sam McAllister
John Field	David Recardo
Nigel Gage	Gina Seaton
Andy Kendall	Peter Seib
Sarah Lindsay	Alan Smith
Mike Lock	Rob Stickland

Officers:

Helen Rutter	Assistant Director, Communities
Jo Boucher	Democratic Services Officer
Simon Fox	Area Lead (South)
David Norris	Development Manager
Steve Brewer	Community Safety & Projects Co-ordinator
Claire Leonard	Avon & Somerset Police Constabulary
Amanda Thomas	Avon & Somerset Police Constabulary

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

132. Minutes of previous meeting (Agenda Item 1)

Councillor John Field requested an amendment to minute 130, to indicate that he was the member who declared an interest in Agenda Item 13 and left the room during consideration and not Councillor John Clark as stated in the minutes.

Members were then content that the minutes of the meeting held on the 2nd March 2016, copies of which had been circulated, be approved and signed by the Chairman as a correct record, subject to the amendment being made to minute 130.

133. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillor Peter Gubbins as he was conducting interviews for the post of the Crematorium Manager. Councillor David Recardo therefore took the Chair and members agreed Councillor Wes Read as Vice-Chairman for the duration of the meeting.

Apologies for absence were also received from Kaysar Hussain and Graham Oakes.

134. Declarations of Interest (Agenda Item 3)

There were no Declarations of Interest.

135. Date of next meeting (Agenda Item 4)

The Chairman advised members that the Area South Committee on **1st June 2016** is to be held at Abbey Community Centre and **not** the 4th May 2016 as stated in the agenda. The May meeting will be held in the Council Chamber, Brympton Way as normal.

136. Public question time (Agenda Item 5)

There were no questions from members of the public.

137. Chairman's announcements (Agenda Item 6)

The Chairman advised members that following the close of today's meeting we ask that members stay behind to attend the short briefing on Area South Priorities for 2016/17 as it is important that we have your input.

The Assistant Director, Communities also informed members of the following:

Area South Regeneration Board Feedback

This inaugural meeting happened this morning with your Chairman and Councillor Tony Lock present. Thanks to all of you who provided your views on priorities for Economic Development (ED) and Regeneration to assist Peter with the discussions. Some of your contributions were part of wider community regeneration and can be picked up in the ADP.

- It was noted that as a result of the new AS Regeneration Board being set up the Terms of Reference for the Yeovil Vision will have to be revised. A report on these proposed changes will be added to the forward plan & brought back to Area South in May.
- A discussion about the ED "top 10" projects was held and it was felt that a revised, focused study and plan, to take in key traffic management and vacant sites in the town centre should be a priority. This to act as a tool to **market the towns growth opportunities and provide the basis for removing existing barriers such as poor traffic layouts**. It would be a more focused version of the UDF update and would need input from consultants, so requiring a brief and funding to be agreed (this could be considered by Yeovil Vision Board).
- Petters Work Space Hub – there was a discussion of an outline costed proposal to develop under-utilised areas of Peters House (ground floor and lower ground

floor) as a work space hub to attract young, fledging businesses. The initial work looks promising and the Chairman has asked ED for further details of the assumptions to check if a return on investment was feasible with 2 years. The support of ASC is sought to follow this up.

138. Reports from representatives on outside organisations (Agenda Item 7)

Councillor Gina Seaton advised members that following funding granted by Area South Committee the West Coker Commemoration Hall had now been modernised and facilities upgraded to modern standard including wi-fi and was now available for hire.

139. Enhancement of Yeovil CCTV (Agenda Item 8)

The Community Safety Co-ordinator presented the report and introduced Police Sargent Claire Leonard and Amanda Thomas Yeovil Town Beat Manager who also attended the meeting. He was pleased to inform members that the CCTV cameras were now fully installed in position and were awaiting BT to connect into the infrastructure in the next few days.

The Community Safety Co-ordinator responded to members' questions on points of detail regarding specific cases and noted their concern. He was happy to advise and support members with any issues they had within their wards.

In response to a member request on behalf of Yeovil Town Council, the Community Safety Co-ordinator agreed to discussions regarding the Town Council CCTV systems.

During a short discussion issues were also raised regarding the removal of fence panels creating an open access from Redwood Road into Wyndham Park. Local residents were concerned regarding the anti-social behaviour and ongoing drug issues in the area.

In response the Area South Lead Officer advised members that he was aware of the problems within the area and that discussions were taking place with the Police and local Ward members to resolve the issue. He explained that there was not an easy straight forward outcome to this issue, as when planning permission was granted for the Wyndham Park site this area had been allocated for a bus route access into Wyndham Park and to help residents access to and from the site.

Members thanked the Community Safety Co-ordinator for work on the completion of the installation of the CCTV cameras and were happy to note the contents of his report.

NOTED

140. Houses in Multiple Occupation (HMO's) (Agenda Item 9)

The Development Manager presented the report and with the aid of a power point presentation provided member's information in relation to them agreeing to the making of an Article 4 Direction and provided guidance as to the extent of the area that should be subject to the Direction. This included:

- Map from translated data showing the main area of high concentration of HMO's within Yeovil.
- Proposed roads to be included within the East, Central, West and South Wards of Yeovil.
- Validation requirements including every application for an HMO to include a survey of adjacent uses; Car Parking plan and Cycle storage plan; Refuse and recycling storage plan. These requirements will be complemented by a document setting how the LPA will consider HMO applications.
- Assessment procedure once application submitted – The validation requirements will be complemented by a document setting how the LPA will consider HMO applications.

In response to questions the Development Manager and Area South Lead Officer informed members that:

- Should prior claim be made in regard to HMO's, evidence of use would be required. Normal enforcement procedures would commence if this was not the case.
- Appreciate applicants should be aware of the expectations hence the validation requirements will be complemented by a document setting how the LPA will consider HMO applications.
- Unsure of the exact amount of unlicensed HMO's with Area South, however estimate of approx. 500 across the district.
- No HMO's under 6 beds will be retrospectively addressed.
- Car parking can be a material consideration when assessing HMO applications. All applications will be taken on a case by case basis.

At the conclusion of the debate, members agreed to the making of an Article 4 Direction and provide guidance as to the extent of the area that should be subject to the Direction and to be brought back to committee within 6 months for adoption.

RESOLVED: That members agreed to the making of an Article 4 Direction and provide guidance as to the extent of the area that should be subject Direction
(*voting: unanimous*)

141. Area South Development Team - End of Year Report (Agenda Item 10)

The Assistant Director Communities presented the report and highlighted to members the work undertaken by the Area Development Team including the following:

- Work with Yeovil Vision and Regeneration Board to guide road improvements and other measures to improve the success of the town centre.
- Community Development – including comprehensive support for community groups and intensive work in areas planned for growth to secure better community facilities.
- Economy – provide support to the events programme and carried out quarterly audits of empty premises in Yeovil town centre.
- The LEADER programme now gone 'live'. It is designed to help small businesses in qualifying areas with funding support to expand. A local business is advancing its expansion through the programme.

- Success of the Community Rail conference by Great Western Railway which was held in Yeovil and showcased what the town has to offer to attendees from across the region.
- Markets – success of the Vintage Market. A future report to be brought to Area South Committee regarding enhancement of markets.
- Grants and Funding. A wide range of groups and parishes have had fundraising help or have been supported with small grants. Through the community grants programme over £4 of investment has been secured for each £1 of grant aid.

There being no further discussion members were content to note the report.

NOTED

142. Area South Forward Plan (Agenda Item 11)

The Assistant Director, Communities updated members that the Area South Development Plan and a Yeovil Vision report would be brought to the May committee.

She also advised members that the Annual Grant Update Report would now be brought to the June meeting and a report on the Birchfield Park Bicycle Facility to the July meeting.

- 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)

143. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

Members noted the Schedule of Planning Applications.

144. 15/00763/FUL - Land off Stone Lane, Yeovil (Agenda Item 13)

The Development Manager 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 to members that this application was approved at the April 2015 Area South Committee subject to the Section 106 Legal Agreement. He explained that following the resolution to grant permission the viability of the scheme has been raised and following information provided by the applicant and figures assessed by the District Value this application is brought back to Area South for a new resolution.

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

- The Highway Authority raised no requirement for this application and therefore cannot impose any financial contribution for this purpose.

- Due to the unpredictable housing market conditions and the Authority's approach to encourage housing development to come forward, it is suggested that the insertion of a review mechanism which allows for any improvement in market conditions should a surplus or large profit be made by the proposal. This was usual standard procedure should any revision be made to a Section 106 Legal agreement.
- Clarified that the Community building to be completed upon occupation of 15 units and not 30% of occupation as previously agreed.
- The Strategic Housing team will be charged with the investment of the affordable housing off-site contribution, however noted concern that money be intended specifically for bungalows.
- The age restriction of 55+ was considered acceptable which gave additional flexibility to the development. It was noted the applicant was not concerned either way in this case.

Iris Coton from Yeovil Without Parish Council spoke in support of the application. She said the Parish Council were in support of the application and revised resolution and that there was a genuine need within the parish and town for this type of development. She believed the age restriction of 55+ was a sensible idea and supported the proposed off-site contribution for affordable housing.

Mr Peter Concannon then addressed the committee. As a local resident he considered the application to be an excellent scheme and questioned the need for the applicant to contribute toward off-site affordable housing when he had already offered up his land for this development. He also supported the revised 55+ age restriction.

Matt Frost, the agent addressed the committee. He supported the recommendation and revision to the Section 106 Legal agreement and believed that due to the specialist characteristics of the development it would be unsuited to on-site affordable housing and hoped that members support this application with the revisions proposed.

Councillor Mike Lock, Ward member believed the applicant had produced an excellent scheme in a great location and supported the revised resolution.

During a short debate, members discussed the 55+ age restriction and a proposal was made and seconded to amend the recommendation to change the restriction on age to 60+. On being put to the vote this was lost by 4 votes in favour, 11 against and 0 abstentions.

There being no further discussion, it was then proposed and subsequently seconded to approve the application as per the officers recommendation as set out in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

That application **15/00763/FUL** be approved 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) Restriction on age (55+)

- 2) Sports, Arts and Leisure (£3,000 towards enhanced playing pitches and / or changing rooms in Yeovil)
- 3) Affordable Housing (£224,853 off-site contribution)
- 4) Maintenance of open space
- 5) Community building to be completed upon 30% of occupations

A review mechanism to be included in the Section 106 to allow the outcome of the sales of the implemented scheme be examined.

and

- b) the conditions previously agreed by the Area South Committee in April 2015 as detailed below:

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)

145. Planning Appeals (For information only) (Agenda Item 14)

Members noted the Planning Appeals.

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Chairman

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Date