

South Somerset District Council

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

(2.00 pm - 4.30 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

John Clark	Wes Read
John Field	David Recardo
Kaysar Hussain	Gina Seaton
Andy Kendall	Peter Seib
Sarah Lindsay	Alan Smith
Tony Lock	Rob Stickland
Sam McAllister	

Officers:

Jo Boucher	Democratic Services Officer
Steve Joel	Assistant Director (Health & Well-Being)
David Norris	Development Manager
Simon Fox	Area Lead (South)
Andrew Collins	Planning Officer
Sarah Hickey	Locum Planning Solicitor
Chris Cooper	Streetscene Manager
Lisa Davis	Community Office Support Manager
Rob Parr	Senior Play & Youth Facilities Officer
Natalie Fortt	Neighbourhood Development Officer

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

27. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on 1st June 2016 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

28. Apologies for absence (Agenda Item 2)

Apologies for Absence were received from Councillors Cathy Bakewell, Nigel Gage, Mike Lock and Graham Oakes.

29. Declarations of Interest (Agenda Item 3)

Councillor Rob Stickland declared that he had spoken with the applicant in relation to Agenda Item 15, Planning Application 16/00389/FUL but that he would consider the application with an open mind.

30. Public question time (Agenda Item 4)

There were no questions from members of the public.

31. Chairman's announcements (Agenda Item 5)

The Chairman informed members of the following:

- Update to the report at last month's Area South committee regarding bus shelters and advertising boards – Fernbank have now taken over the contract and have already begun making the necessary repairs.
 - A second Bike Festival will be taking place on Wednesday 17th August at Birchfield Park. There will be pump track events, circus skills, hope to cycle and refreshments. All part of promoting cycling. Rob Parr will be providing details on the proposed Bike Park under agenda item 10.
 - Strategic Generation Board on 8th June – Urban Development Framework (UDF) to progress with discussions on financing. Possibility of a workspace hub at the Innovation Centre.
 - Thanked Councillor John Clark for all his hard work with the Yeovil Vision Board.
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32. Reports from representatives on outside organisations (Agenda Item 6)

There were no Reports from representatives on outside organisations.

33. Westlands Leisure Complex - Progress Report (Agenda Item 7)

The Assistant Director (Health & Well-Being) presented the report as set out in the agenda and with the aid of slides showed illustrations of designs of what will be delivered within the entertainment complex. He also informed members that:

- Design and tender process now completed.
- Forecast to deliver the entire scope of the modernisation programme that was set out in the original District Executive within the agreed budget.
- Site now handed over to SSDC and clearance of the site has already begun.
- Down to three possible names for the venue. Once new name has been selected work on the branding and new website will commence with bookings being taken from Sept/Oct with planned opening in January 2017.

The Assistant Director (Health & Well Being) also told members of two further aspirations that had emerged through the design stage which the Project Board would like to realise. This includes the addition of a new entrance foyer and a covered artist's walkway. These enhancements cannot be afforded within the current budget and therefore the Project Board will be bringing this forward to the District Executive for a further capital grant.

In response to questions the Assistant Director informed members that:

- The proposed automated seating would seat approx 900 people and although this was slightly less than first envisaged it would not be detrimental to the artists they were looking to attract as initial predictions regarding costings were estimated at a lesser figure.
- Work would be done regarding the marketing strategy for the venue.
- The £1 ticket levy on the Octagon tickets is a long term venture confirming that every £1 taken gets transferred into a reserve.

During a short discussion members congratulated the Assistant Director (Health & Well Being) and his team on all the hard work being done to deliver the complex and agreed that costs should be met for the additional enhancements of the new entrance foyer and artist's walkway. Members were pleased to note the progress report.

NOTED

34. Streetscene Service Update Report (Agenda Item 8)

The Streetscene Manager presented the report as detailed in the agenda. In response to questions he informed members that:

- The number of collections for fly tipping had fallen in the last year in Area South due to the collection of single black bags.
- Enforcement rules apply regarding fly tipping with approved standard signage used to display on land. Cannot collect from private land but can enforce.
- Agreed to inform Councillor Andy Kendall of the worst areas within Area South concerning fly tipping.
- Reporting avenues for the public are available through the website, by telephone or written enquiries. The future of digitalisation is unknown and therefore further reporting applications are yet to be identified.

Members thanked the Streetscene Manager and his service for the excellent work that they had carried out and noted the report.

NOTED

35. Community Offices Update (Agenda Item 9)

The Community Office Support Manager presented the report as detailed in the agenda and in response to members informed them that:

- Universal credit to be fully rolled out through Somerset early next year so unsure what the implications and impact this will have on the service.
- No decisions have been made at this present time regarding Community Asset Share Access (CASA). With the request of the Chairman she agreed to provide members with an update on the Authority's current position

There being no further discussion the members thanked the Community Office Support Manager for her comprehensive report.

36. South Somerset Bike Park Proposal (Agenda Item 10)

The Senior Play & Youth Facilities Officer presented the report and with the aid of slides showed members the location of the proposed bike park and the success of both the Bike Fest held in August 2105 and the Pump Track installed in September 2015. He explained the next steps of the project which included sketch designs and feasibility work and explore funding opportunities. He also confirmed this year's Bike Fest would take place from 13th – 19th August 2016.

During a short discussion members appreciated the constraints of the site and that the necessary risk assessments and Health & Safety signage would be organised should the project proceed. Members thanked the Senior Play & Youth Facilities Officer for his report and voiced their full support of the project.

RESOLVED: That members noted and gave comment on the report and gave support (without prejudice) to officers to continue consultation and feasibility work for this concept.

37. Dorcas Charitable Trust - Annual Report & Statements for Year to 31st March 2016 (Agenda Item 11)

The Area Development South Team Leader presented the report as detailed in in the agenda. She informed members that although the current position had not changed since last year the Housing Team continue to look for possible suitable sites. She referred members to the accrual of the annual interest on the accounts and asked that members approve the Annual Accounts for the Dorcas House Trust as set out in the agenda.

There being no member discussion it was therefore proposed and seconded to approve the Annual Accounts for the Dorcas House Trust as set out in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

(1) To approve the Annual Accounts for the Dorcas House Trust

(2) To note the update in the annual report

(voting: unanimous)

38. Forward Plan (Agenda Item 12)

Councillor John Clark requested a report on the Community development with a focus on addressing health, social and economic inequalities and the provision and development of community facilities as one of the key areas of work set out in the Area South Service Plan. This was noted and a half year report would be brought to the October meeting and then six monthly.

Members were also reminded that the Wyndham Park update report would be brought to the October 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)

39. Planning Appeals - For Information Only (Agenda Item 13)

Members noted the Planning Appeals.

40. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)

Members noted the Schedule of Planning Applications.

41. Planning Application 16/00389/FUL - 79 Sherborne Road, Yeovil, Somerset (Agenda Item 15)

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 including proposed bin stores located on site. He explained that the place of worship had already been approved and that this application was simply for the conversion of the flats and external alterations to the façade of the approved Mosque.

He also presented proposed varied conditions to 01, 02, 05 and 08 to read:

01)'Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from June 2016.

Reason: To comply with Section 73A of the Act.'

02) To include amended drawing to BO1A received 6 July 2016.

05)'To also include; The railing shall thereafter be implemented within 1 month of the women's pedestrian access being formed and shall thereafter be retained in accordance with the agreed details.'

08) 'To also include; and thereafter retained.'

He also proposed additional conditions 09 and 10 as follows:

09) 'Within one month of the date of the decision details of the storage of refuse for both the place of worship and flats shall be submitted to and agreed in writing by the Local

Planning Authority. The storage shall be implemented in accordance with the approved details and thereafter retained.

Reason: In the interests of environmental health in accordance with Policy EQ2 of the adopted South Somerset Local Plan 2006 – 2028.'

10) Within 1 month of the date of the decision a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of parking and highway safety in accordance with Policies TA5 and TA6 of the adopted South Somerset Local Plan (2006 – 2028).

The Planning Officer referred to the key considerations including:

- Principle – Use of building
- Residential Amenity – the flats
- Visual Amenity – external alterations
- Parking levels on site and the justification for any reduction.

He concluded that his recommendation was for approval for reasons as set out in the agenda report.

A local resident addressed the committee and spoke in objection to the application. He raised concern regarding the materials to be used, the location and collection of the storage waste recycling bins and the availability of parking places whilst the centre is in full use particularly on a Friday. He also raised concern regarding land contamination, the charitable status of the centre and the future occupants of the proposed flats.

The Planning Officer explained to member's that as there was no actual excavation involved on site the Environmental Protection Officer is content with the application and made no comment. He understood that waste collection usually took place on a Wednesday and believed this would not compromise residential parking or access of the site.

Mike Bellamy, the SSDC Highways consultant advised members that he believed there to be ample parking for the centre and residents of the flats apart from one period on a Friday and therefore on balance believed the onsite parking to be acceptable.

The Solicitor also advised members that future occupiers of the proposed flats was not a planning consideration and was a private matter.

Ian Pamplin, the agent addressed the committee and told members that the bin stores and collection points had now been agreed and would be properly screened and marked out onsite. He confirmed the flats were needed for the sustainability of the centre as it run as a charity for the benefit of its members, however if not taken up would be offered on to the open market.

Councillor Tony Lock, Ward member raised concern regarding the parking provision on site as it is located on a very busy road with minimal on street parking. He noted a travel survey had been carried out and understood this had not been undertaken by an independent person. He therefore could not support the application on the grounds of insufficient parking provision.

Councillor Rob Stickland, Ward member appreciated the concerns regarding parking but considered the officer's recommendation to be acceptable.

Councillor David Recardo, Ward member referred to the previous location of the mosque at Westminster Street. He believed this proposal to be a like for like apart from the parking provision and was located near public car parks.

During a short discussion members raised comment, including the following:

- raised concern regarding the onsite parking provision but appreciated that there is public parking nearby.
- Good sustainable location near town centre.
- Similar developments nearby with less parking than this proposal.

Following a further short debate, it was proposed and seconded to approve the application as per the officer's recommendation and with the proposed varied conditions to 01, 05 and 08 and the additional conditions 09 and 10 as per the verbal update. It was also agreed to an additional condition regarding external materials to the proposed building. On being put to the vote this was carried as 12 votes in favour, 1 against and 0 abstentions.

RESOLVED:

That application **16/00389/FUL** be approved subject to:

Grant permission for the following reason:

01. Notwithstanding the interest in this application the proposed alterations to the building are considered to respect visual and residential amenity of the area and it has been demonstrated that the level of parking for the site is sufficient. The proposal therefore complies with Policies YV1, TA5, TA6 and EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

Subject to the following:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from June 2016.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 290/01 / S01, 290/01 S02 and 290/01 P05 received 28 January 2016, amended drawings 290/01 B02, 290/01 B03 and 290/01 B04 received 8 June 2016 and amended drawing 290/01 B01A received 6 July 2016.

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

03. The proposed first floor window on the Southwest elevation to the flat shall be a minimum of 1.7m above the floor of the room in which the window is installed.

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

04. The first floor Iman accommodation located on the first floor at the north western end of the building shall be used as temporary accommodation for a visiting priest and shall not be used as a separate self-contained flat.

Reason: In the interests of amenity and to clarify the scope of the application in accordance with Policy EQ2 of the South Somerset Local Plan (2006 - 2028).

05. There shall be a safety railing located on the southwest boundary by the women's entrance. Details of which shall be submitted to and agreed in writing by the Local Planning Authority within 3 months of the date of the permission. The railings shall thereafter be implemented within 1 month of the women's pedestrian access being formed and shall thereafter be retained in accordance with the agreed details.

Reason: In the interests of health and safety.

06. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall 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).

07. The parking and turning provision as shown on the submitted plan shall have no obstructions to those areas and shall not to be used for any purpose other than for the parking and turning of vehicles associated with the Muslim Cultural Centre and the four apartments.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Policy TA6 of the adopted South Somerset Local Plan (2006 - 2028).

08. Provision shall be made for the parking of 4 cycles in accordance with details to be submitted to and approved by the Local Planning Authority within 3 months of the date of this permission. Such provision shall be made within 6 months of the permission hereby being granted and thereafter retained.

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

09. Within 1 month of the date of the decision details of the storage of refuse for both the place of worship and flats shall be submitted to and agreed in writing by the Local Planning Authority. The storage shall be implemented in accordance with the approved details and thereafter retained.

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

10. Within 1 month of the date of the decision a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of parking and highway safety in accordance with Policies TA5 and TA6 of the adopted South Somerset Local Plan (2006 - 2028).

11. No works shall be undertaken on the external finish of the building unless details of the render, tiles and materials for the minarets are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing.

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

(voting: 12 in favour, 1 against, 0 abstention)

42. Planning Application 16/00287/FUL - Yeovil Cattle Market, Market Street, Yeovil (Agenda Item 16)

The Area South Lead 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 that during the course of the application the proposal had been amended to reduce the number of spaces to 120 located on the lower tier only accessed via Market Street. He believed this would limit the traffic movement of the site and would not prejudice the Council when considering any future development plans.

He confirmed the principal was for a long stay car park with pricing to be the same as Market Street Car Park and opening time of 7.00am until gates closing at 10.00pm.

The Area South Lead believed this proposal to be a suitable balance, incentive for the land owner and an acceptable way forward and therefore his recommendation was to approve the application for reasons as set out in the agenda report.

In response to members' comments, the Area South Lead noted members concerns regarding vehicles parked at the entrance to the site along Reckleford and the safety of pedestrians on site. He confirmed the upper deck would be fenced off from the public and would relay concerns to the land owner regarding car parking at the Reckleford Access.

During a short discussion, members raised concern regarding the current state of the land and questioned whether a '215 Notice' could be served to the land owner to encourage the clean-up of the site.

In response the Area Lead advised members that at this present time he would liaise with the land owner about the tidying up of the site and that a '215 Notice' could be served at a later date should negotiations be unsuccessful.

Ward members Councillor Andrew Kendall, Kaysar Hussain and Peter Gubbins believed this to be positive steps towards the development of the site and were in support of the application.

Following a short discussion, members believed the application to be a positive and viable proposal at this time to what is a very challenging site and it was therefore proposed and seconded to approve the application as per the officer's recommendation as set out in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

That application **16/00287/FUL** be approved subject to:

Grant permission for the following reason:

01. The proposal by reason of its temporary nature, the potential visual enhancement of the site and safeguarding of adjacent Heritage Assets and the acceptable impact on the local highway network is in accordance with the aims and objectives of the National Planning Policy Framework; the SCC Parking Strategy and policies SD1, SS1, EQ2, EQ3, TA5, TA6 and EP2 of the South Somerset Local Plan (2006- 2028).

SUBJECT TO THE FOLLOWING:

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 and operated in accordance with the following approved plans and documents:
 - a) Location Plan (scale 1:1250), SSDC received 08 March 2016
 - b) The Email and attached Site Layout Plan from Mr MacNicol received 09 June 2016.
 - c) Aerial Photo (in so far as showing buildings to be demolished only), SSDC received 18 January 2016Reason: For the avoidance of doubt and in the interests of proper planning.
03. The use hereby permitted shall be discontinued on or before 6th July 2018.
Reason: The landowner and Local Planning Authority do not consider this to be a long-term use for the site and a temporary permission will therefore not prejudice the general aspiration for a comprehensive development on the site which remains a priority.
04. The total number of car parking spaces provided shall not exceed 120.
Reason: In the interests of highway safety and in the absence of a Transport Statement that assesses the impact of traffic on local junctions to accord with policy TA5 of the South Somerset Local Plan (2006-2028).
05. There shall be no vehicular or pedestrian access to Reckleford and Court Ash used in connection with the temporary use hereby approved.
Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan (2006-2028).
06. Prior to the first use of the site for the use hereby permitted a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall only be operated whilst the car park is open (7am -10pm).
Reason: In the interests of public safety and residential amenity to accord with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).
07. Prior to the demolition of any individual building a scheme setting out the method, timings and any mitigation deemed necessary for dust suppression or to protect

residential amenity shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and residential amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

08. In the event of intrusive excavation taking place during the demolition/construction phase of the development, any signs of pollution such as, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EQ7 of the South Somerset Local Plan (2006-2028).

Informatives:

01. This decision does not imply any permission is granted for a valeting company to operate from the site or for advertisements (other than those that benefit from deemed consent) to be displayed in, on or around the site.

(voting: unanimous)

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Chairman

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Date