

## South Somerset District Council

**Minutes** of a meeting of the **Area South Committee** held at the **Council Chamber Council Offices Brympton Way on Wednesday 4 January 2017.**

(3.30 - 6.25 pm)

**Present:**

**Members:** Councillor Peter Gubbins (Chairman)

Cathy Bakewell	Tony Lock
John Clark (until 6.10pm)	Graham Oakes
Gye Dibben	Wes Read
John Field	David Recardo
Nigel Gage	Gina Seaton
Andy Kendall (until 6.10pm)	Peter Seib
Sarah Lindsay(until 6.10pm)	Rob Stickland
Mike Lock (until 6.10pm)	

**Officers:**

Martin Woods	Director – Service Delivery
Helen Rutter	Assistant Director (Communities)
Colin McDonald	Corporate Strategic Housing Manager
Jo Boucher	Democratic Services Officer
Simon Fox	Area Lead (South)
David Norris	Development Manager
Alyn Jones	Interim Director Economic & Community Infrastructure & Operations Director SCC
Phil Lowndes	Strategic Manager for Traffic & Transport Development SCC

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

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### **103. Minutes of previous meeting (Agenda Item 1)**

A member requested that the minutes indicate that Councillor Cathy Bakewell left the meeting prior to the close and that this be included in the minutes. The Democratic Services Officer confirmed that the minutes should record when Councillors arrive late or leave early from committee and that this had been omitted in this instance.

Members were happy that this be included in the minutes of the meeting held on the 30<sup>th</sup> November 2016, copies of which had been circulated, be approved and signed by the Chairman as a correct record, subject to the amendment being made.

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### **104. Apologies for absence (Agenda Item 2)**

Apologies for Absence were received from Councillors Kaysar Hussain and Sam McAllister.

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### **105. Declarations of Interest (Agenda Item 3)**

Councillor David Recardo declared a personal interest in Item 7 – Lyde Road/Sherborne Road Improvement Scheme as he lived along Lyde Road.

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### **106. Public question time (Agenda Item 4)**

There were no questions from members of the public.

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### **107. Chairman's announcements (Agenda Item 5)**

The Chairman asked the Assistant Director (Communities) to update on the broadband query:

- Members heard about the issue of poor broadband speeds at Yeovil Marsh raised at Public questions in December. Natalie Fortt made contact with the Parish and attended a meeting with BT, organised by the clerk, later in December. It was very well attended by residents.

BT couldn't install Fibre under the current 90% scheme but could help with a community led solution if wanted. Natalie gave details about the Phase 2 roll out of SFBB to 95% of premises which may be available to Yeovil Marsh. More details will be known in the next 2 months. The successful bidder for SSDC area has been appointed (Giggerclear) and a new voucher scheme to help communities that remain out of scope is possible as well.

The meeting agreed to await the further details of the Phase 2 scheme, as if the village is eligible this may offer the best solution.

Plan B is to work with BT on a community led Fibre scheme.

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### **108. Reports from representatives on outside organisations (Agenda Item 6)**

Councillor John Clark on behalf of the Westfield Community Association encouraged members to promote the ongoing Energy Advice Centres as attendance was regrettably quite low. He also informed members that the Community Hall was at lottery application stage and hopeful this would progress to the Stage 2.

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### **109. Somerset County Council Highways - Lyde Road/Sherborne Road Improvement Scheme (Agenda Item 7)**

The Chairman introduced Alyn Jones, Interim Director Economic & Community Infrastructure and Operation Director and Phil Lowndes, Strategic Manager for Traffic and Transport Development for Somerset County Council (SCC) explaining to members the decision to bring this Item to Committee for members to ask questions to these

officers regarding the traffic issues relating to the Lyde Road junction improvements and related Eastern Corridor in Yeovil.

Marcus Fysh, MP for Yeovil Constituency then addressed the committee. He raised concern regarding the implementation of the scheme and the general principles of congestion in the town including;

1. To ensure priority regarding Pedestrians
2. Level of development in and around the outskirts of the town in particular where Section106 agreements can help and the issues faced should these agreements be rescinded for viability reasons.
3. Regeneration of the town itself, with guidance from SSDC regarding regeneration of the town can assist SCC to plan for traffic in the town and help the local businesses operate and grow.

He hoped members would take on board these comments as believes this scheme interferes with some of these issues.

Adrian Dening, Margaret O'Neil, David Stone, Nigel Groves, Linda Whitsun-Jones and Clive Seaton all members of the public then addressed the committee. Various comments were made including:

- Referred to the temporary traffic lights at the junction over the Christmas period resulting in severe traffic congestion in the area and the relatively free flow of traffic once these traffic lights were removed.
- Believed a roundabout in this area would be a better option than the proposed traffic light system.
- The backup of traffic which could be caused from the traffic wishing to turn right into St Michaels Avenue and any future options to alleviate congestion, for example a filter right hand lane.
- Can see no justification for the traffic lights at the Lyde Road junction and believes the operation of the downstream signal system at Reckleford are a continued problem and extra traffic lights will result in further chaos.
- Appreciate the realignment of the large stone wall which allows further scope for a roundabout at the junction.
- Complete waste of time and money as the current situation although not ideal does allow free flowing traffic and better than the proposed signal system resulting in more traffic stop time.
- A lot of pain for not a lot of gain, with local businesses being severely affected by these unnecessary roadworks.
- Yet another unnecessary traffic scheme within Yeovil Town which will result in preventing people coming into the town.
- Concern was also raised regarding the new layout at the Horsey Lane roundabout and the problems caused by the traffic light system and the stopping and backlog of traffic onto the roundabout wishing to turn left into Hendford.
- Considers the new layout of the hospital only concentrates the traffic and not disperse it.

Councillor Tony Lock Ward member explained the issues and reason for the attendance of the SCC Officers and believed that there was no one person to blame. He felt that there were still ongoing issues with the signal system at the bottom of Reckleford/Wyndham Street and that until something was done with this nothing would improve. He would support these works if they would relieve the queuing of the traffic on the A30 and the traffic at the bottom of the town and Reckleford, however if this

proposed system was to exacerbate the traffic problems in the area then he asked that this work be stopped immediately.

Councillor David Recardo, Ward member also voiced his concern regarding the proposed scheme. He believed that improvements to this junction were long overdue, however now that the high stone wall has been realigned believed a roundabout at the junction was a better option than the proposed traffic signal system. He also referred to the temporary traffic lights at the junction over the Christmas period resulting in severe traffic congestion in the area and the relatively free flow of traffic once these traffic lights were removed.

During discussion, members reiterated many of the comments already made and further comments included:

- Questioned the timescale of the original traffic surveys undertaken and whether further up to date surveys had been carried out after the Reckleford scheme had been completed.
- Disappointed that comments had been made by SCC that this scheme would not improve the current traffic flow at this junction.
- Due to the natural difficulties of the area surrounding this junction with the situated nearby river, railway station and country park this junction was always going to cause a problem.
- When the opportunity arose from the Wyndham Park development and the potential increase in traffic a Section 106 agreement was put in the place with the developer to fund improvements to the junction.
- Although appreciated the detrimental effect the temporary traffic lights had on the area at Christmas you should not compare the use of temporary traffic lights at the junction with the completed full traffic signal system.
- Have to consider the original decision made was for the good of the town and therefore not anyone person is to blame.
- Believed the upgrade of the existing Pelican crossing along Sherborne Road would help improve the traffic flow in the area.
- Appreciate that there is no complete total fix to these problems and therefore should concentrate on the points that can be improved and which will benefit the area.
- Believed removal of the traffic lights can sometime alleviate the traffic problems in the area and asked that this be trialled in this case at the lights at the Reckleford/Wyndham Street junction.
- Don't believe the views of the local peoples have been listened too.
- Unnecessary traffic scheme within Yeovil Town which will result in preventing people coming into the town centre and have an effect on the future regeneration of Yeovil.

Following a further short debate, Councillor Peter Gubbins, Chairman explained the ongoing issues regarding the method of operation of the downstream signals at Reckleford/Wyndham Street junction as far back as February 2015 where discussions and a tour of the Reckleford scheme took place with Officers from SCC. It was then agreed to take a look at the remodelling of the Yeovil Town Centre and the possibility of even closing Wyndham Street, however nothing more has been forthcoming.

In response to the questions and comments, Alyn Jones, Interim Director Economic & Community Infrastructure and Operation Director and Phil Lowndes, Strategic Manager for Traffic and Transport Development for Somerset County Council explained that:

- They appreciated the concerns about the disruption caused by high levels of work taking place around the Yeovil road network which is an accumulation of significant development schemes and highway schemes within the area.
- Under planning permission previously granted, Barratt Homes the developer of this scheme are obliged to carry out this work at the junction.
- Should not compare the use of temporary traffic lights with the final traffic light system which are the well-developed Scoot system.
- Although the stone wall had been realigned this still does not provide enough space for a roundabout.
- This scheme is wholly funded by the developer.
- Consider that there is insufficient space to add an additional filter right turn into St Michaels Avenue.
- Consider there to be no other viable option than that being implemented, as other options would need additional land take.
- Unfortunately the existing pelican crossing along Sherborne road is very old and the technology cannot easily be updated. Therefore cannot justify as a reasonable requirement and not anticipated that this will be updated in the foreseeable future.
- Considers the removal of the traffic lights in the long term does not have the effect of improving the traffic flow and that the provision for pedestrians or cyclists is also compromised. We can however monitor how the lights perform.
- Understood that no further traffic survey had been carried out as the expectation of traffic flow would not change in any case.

In conclusion they appreciated the frustrations and concerns raised, however clarified the need to create an improved junction which provides a positive controlled crossing at the junction for more vulnerable users explaining the schemes planning permission and legal agreement with the developer. They were happy to meet with SSDC officers and members to further discuss problems and monitor issues and also programme in the wider development within Yeovil.

Following a short discussion, the Chairman clarified the traffic lights at Lyde Road/Sherborne Road junction would go ahead but welcomed further meetings with the SCC officers to continue to monitor and discuss the issues of the ongoing highway works and re modelling within Yeovil, in particular the Reckleford/Wyndham Street junction. He thanked the SCC officers for attending committee.

**NOTED**

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## **110. Area South Forward Plan (Agenda Item 8)**

The Assistant Director, Communities informed members that the Annual report on the works of the Conservation Unit be removed from the Forward Plan at this time and that the Historic Buildings at Risk confidential report would be brought to the March committee. There were no further updates.

It was again requested and agreed that a site visit be arranged for the committee to view the new facilities at the Westland Leisure Complex. The Democratic Services Officers confirmed that a request has been made to the Assistant Director, Health and Well-being and that she would follow this up.

- 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)*

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**111. Planning Appeals (For information only) (Agenda Item 9)**

Members noted the Planning Appeals.

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**112. Schedule of Planning Applications to be Determined by Committee (Agenda Item 10)**

Members noted the Schedule of Planning Applications.

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**113. Planning Application 16/03944/FUL - Tyndale Nursing Home 36 Preston Road Yeovil (Agenda Item 11)**

The Area Lead South presented the application as detailed in the agenda and with the aid of a power point gave a presentation showing the site and proposed plans.

He explained that at the meeting of Area South Committee on 30<sup>th</sup> November 2016 member's resolved to defer the application to undertake a site visit and that this site visit took place prior to today's meeting. He reiterated the main points for concern being; Parking and Access, Overlooking and Shadowing. He considered the proposed parking on site exceeded the policy requirement and believed the visibility splay acceptable on the basis that the removal of the trees or retaining wall would be far more harmful to the setting of the conservation area than the current situation.

He also referred to slides showing the first floor window analysis confirming which windows on the proposed east side elevation would be partly obscured. He believed that although the proposal would bring some further shadowing of the gardens to neighbouring properties at certain times of the day on balance this did not warrant refusal of the application. .

He concluded that on the basis of all the information provided and with the amendment to condition 5 his recommendation was for approval for reasons as set out in the agenda report.

Mr Andy Harrison the owner of No. 11 Willow Road addressed the committee and spoke in objection to the application. His main concern was the mass of the proposed extension and the overbearing impact and overshadowing this would have on his and surrounding properties. He also raised concern regarding the onsite parking and the current parking issues within the area and believed that the additional intake of staff, residents and visitors for the care home will only exacerbate the issue and have a detrimental effect on the neighbourhood.

Mr Graham Herridge, a local resident spoke in objection to the application. He believed that the development would have a detrimental effect on the visual amenity of the area and due to the density and overbearing mass of the proposal result in the loss of light and privacy of the adjacent properties. He felt the need to safeguard the setting of the conservation area, appreciated that members had visited the site and note the recommendation for refusal of this application from Yeovil Town Council.

Mr David Marks, the resident of No. 9 Willow road also spoke in objection to the application. He felt the development would overshadow his property blocking any visible skyline and natural light and did not consider an extension of this size was necessary. He believed that the well-being of local residents was a main consideration.

Mr Andrew Tregay, the agent then addressed the committee. He endorsed the officer's report and explained the requirement to update care homes and the ongoing need for the elderly. He noted that no other objections had been received and that the applicant had worked hard to address any issues already raised including the undertaking of a shadow assessment. He confirmed and agreed the requirement for no-opening windows and obscure glass on four windows of the proposed east elevation and although the parking provision was adequate would be happy to increase this provision if required.

Following a short discussion the Area Lead South explained that no representation or advice/guidance had been requested from the Care Quality Commission (CQC) and therefore not a consideration in this application.

Mr Andrew Tregay, the agent clarified that there will be a range of types of care on offer however there is potential and scope; subject to CQC requirements and that any further changes would nonetheless need to be brought back to committee for agreement.

Councillor John Clark, Ward member although concerned regarding the parking provision on site acknowledged it exceeded the policy requirement and believed the vehicular access to the site was also acceptable. His main concern however was the size and mass of the proposed extension and the overbearing impact and overshadowing this would have on the neighbouring properties in Willow Road. He considered for this reason he would not support the application.

Councillor Wes Read, Ward member also voiced his concern regarding the size and mass of the proposed extension and the overbearing impact this would have on neighbouring properties in Willow Road. He believed it would benefit if the exiting traffic from the site was designed for left turn only and that further improvement of landscaping on site was required. He considered this proposal to be overdevelopment of the site and therefore would not support the application.

During discussion, members expressed varying comments including:

- Sympathy with the overlooking to neighbouring properties however there is a chronic need for care homes and believes the design fits the purpose.
- Appreciate the size of the proposed extension, however in order for the business to be viable a significant increase in residential space is required.
- Appreciate the ongoing parking problems within the area and have reservations regarding the proposed parking provisions on site, however acknowledges this exceeds policy requirements.

- Concern regarding the size and mass of the proposed extension and the overbearing impact and overshadowing this would have on properties both in Willow Road and Cloverdale Court.

Following a short debate, it was then proposed and subsequently seconded that planning permission be refused, contrary to the officer's recommendation by reason of its massing and having an overbearing impact on the adjacent properties at Willow Road.

On being put to the vote this was carried by 7 votes in favour, 5 against and 3 abstentions.

**RESOLVED:**

That planning application **16/03944/FUL** be refused for the following reason:

'The proposal, by reason of its massing, creates an overbearing impact on adjacent properties at Willow Road contrary to Policy EQ2 of the South Somerset Local Plan (Adopted 2015) and the National Planning Policy Framework, in particular paragraph 17'.

(voting 7 in favour, 5 against, 3 abstentions)

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**114. Exclusion of the Press and Public (Agenda Item 12)**

**RESOLVED:**

that the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

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**115. Potential Acquisition of a property by Portreeves or Corporation Almshouses (Confidential) (Agenda Item 13)**

The Corporate Strategic Housing Manager presented the confidential report explaining the reason and process with regards to gaining approval from the committee, acting as trustees for the Portreeves or Corporation Almshouses for the potential acquisition of a property, appointment of a management agent and setting of new rent regime.

During discussion members appreciated the reasons why a previous proposed acquisition did not proceed and also the obligations to meet the needs of the Trust. After careful consideration it was proposed and seconded to agree the recommendations as set out in the agenda report. On being put to the vote this was carried unanimously.

Following a further short discussion, it was also proposed that any future decision to approve the proposed potential acquisition of a 2 bedroom property can be made in liaison with the Chairman and Vice Chairman, acting as trustees for the Portreeves or Corporation Almshouses in consultation with the Corporate Strategic Housing Officer. On being put to the vote this was carried unanimously.

**RESOLVED:**



That the Committee, acting as trustees for the Portreeves or Corporation Almshouses, agreed to, subject to any appropriate consent or approvals required from the Charity Commission,

- a) Approve the principle of acquisition of a two bedroomed property in Yeovil.
- b) Approve the principle of undertaking any necessary repair works prior to allocation of the dwelling
- c) Approve expenditure from the Trust's consolidated funds to cover the reasonable costs of an independent qualified surveyor.
- d) Delegate to the Chair of the Committee, subject to the formal advice from the independent qualified surveyor, approval of the negotiated price.
- e) Approve the principle of entering into a management agreement for this property with a partner Housing Association.
- f) Delegate to the Chair of the Committee conclusion of appropriate terms within this agreement.
- g) Resolve to set the occupation charge for this property.

(voting: unanimous)

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Chairman

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Date