

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 6 September 2017**.

(2.00 - 3.00 pm)

Present:

Members:

John Clark	Tony Lock
John Field	Graham Oakes
Nigel Gage	Wes Read
Kaysar Hussain	Gina Seaton
Andy Kendall	Peter Seib
Sarah Lindsay	Alan Smith
Mike Lock	Rob Stickland

Officers:

Jo Boucher	Democratic Services Officer
Paula Goddard	Senior Legal Executive
David Norris	Development Manager
Andrew Collins	Planning Officer
Natalie Fortt	Area South Development Lead

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

1. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on 14th June 2017 and 5th July 2017 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

2. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Cathy Bakewell, Peter Gubbins and David Recardo.

3. Declarations of Interest (Agenda Item 3)

There were no Declarations of Interest.

4. Public question time (Agenda Item 4)

There were no questions from members of the public.

5. Chairman's announcements (Agenda Item 5)

The Chairman informed members that the Area South Annual Parish Meeting will be held on Thursday 28th September 2017 at 6.30pm in the Council Chamber at Brympton Way. Further information will be sent to members in due course.

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

Councillor John Clark informed members that the Westfield Community Association had now submitted the stage 2 application to the Big Lottery and also an application to SSDC for a Corporate Capital for funding of £92,000 towards a new community centre. He further advised that a summer fete fundraising event had been held and had been very successful in raising further funds.

7. Area South Forward Plan (Agenda Item 7)

The Democratic Services Officer informed members that the Section 106 Monitoring report and the Countryside Service Update report will be rescheduled for the November meeting.

The Area South Development Lead also confirmed that the Yeovil Refresh update report will be brought to committee on the 29th November 2017.

Councillor Nigel Gage also requested an update report on the Westland Sports and Leisure Complex. The Democratic Services Officer noted his comments and would action this request.

8. Planning Appeals (For information) (Agenda Item 8)

Members noted the Planning Appeals.

9. Schedule of Planning Applications to be Determined by Committee (Agenda Item 9)

Members noted the Schedule of Planning Applications.

10. Planning Application 17/02772/R3D - Yeovil Crematorium, Bunford Lane, Yeovil (Agenda Item 10)

The Planning Officer 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 the application was referred to committee due to the nature of the proposals and SSDC being the applicant.

He updated members that no objections had been received from the Highways Authority however there were amendments to Conditions 2 and 5 with additional conditions and informative to reflect the County Highways Authority comments to take account of the approved amended plans, visibility splays, driveway surface, gates, surface water disposal and access gradient.

Following a short discussion, members sought clarification regarding the varying levels and surface dressing of the access in relation to the carriageway in the interest of highway and pedestrian safety. In response the Planning Officer agreed to conditions that would help mitigate these concerns.

It was then proposed and subsequently seconded to approve the application as per the officer's recommendation as set out in the agenda report with the amended conditions. On being put to the vote this was carried unanimously.

RESOLVED:

To grant planning permission to application **17/02772/R3D** for the following reason subject to

- i) the Country Highways Authority satisfaction in relation to the proposal.
- ii) the following conditions

01. The proposal is not considered to have an adverse effect upon residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Sufficient highways requirements can be provided to create a safe access.

Accordingly the proposal is considered to comply with policies SD1, SS1, EQ2 and TA5 of the Local Plan and the aims and objectives of the NPPF.

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 approved shall be carried out in accordance with the following approved plans Location plan received 23 June 2017 and amended drawing 1366-Sk02B received 20 July 2017

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

03. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures shall be prepared by a suitably experienced and qualified arborticultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Upon approval in writing from the Council, the agreed tree protection measures shall be made ready

for inspection. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (protected trees) in accordance with policies EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

04. (i) Before the access hereby approved is finished and ready to be used, 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: In the interests of visual amenity in accordance with Policies EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

05 - There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

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

06 - The driveway between the edge of carriageway and the entrance gate(s) shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

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

07 - Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6.0 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

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

- 08 - Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the access is first brought into use and thereafter maintained at all times.

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

- 09 - The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

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

- 10 - The area allocated for turning on the submitted plan, shall be kept clear of obstruction and shall not be used other than for turning of vehicles in connection with the development hereby permitted.

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

Informatives:

01. In relation to condition 3 you are advised to contact the Council's Tree Officer (Phillip Poulton 01935 462670) to arrange a pre-commencement site meeting between the appointed building/groundwork contractors and the Council's Tree Officer, in order to ensure compliance with the submitted scheme of tree protection fencing and other tree protection measures.
02. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the Yeovil Area at The Highways Depot, Mead Avenue, Houndstone Industrial Estate, Yeovil, Somerset, BA22 8RT, Tel No 0300 123 2224. Application for such a permit should be made at least four weeks before access works are intended to commence.

(voting; unanimous)

11. Planning Application 17/02523/COU - 98 Middle Street, Yeovil BA20 1NE (Agenda Item 11)

The Planning Officer 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 advised members that this application was for a change of use of premises. Should planning permission be granted the applicant would need to apply for a new separate premises license as the previous one had elapsed.

He referred to the key considerations being; contribution to the night time economy including jobs, the vibrancy and vitality of the town centre and the crime and safety issues. He updated Members with further information and clarification from the Licensing Manager and therefore more weight could be given to the night time economy. He believed some more weight could be attributed to the vibrancy and vitality of the town centre particularly in the interest of the Yeovil Refresh and support for the regeneration of the town. However on balance and taking into consideration strong objections from the Police Authority his recommendation was to refuse the application for reasons set out in the agenda report.

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

- This application is solely to seek planning permission for change of use for the premises within the red line area as indicated on the plan.
- Other issues regarding the management and delivery of activities would be controlled under the licensing regime and reiterated the obligation for the applicant to apply for the necessary new premises licence.
- A separate signage application has been submitted but there are no proposed alterations to the outside of the building.
- Acknowledged the requirement for the premises to be Disability Discrimination Act (DDA) compliant.

Councillor Andy Kendall, Ward member made reference to recent crime figures taken from Police statistics and believed it revealed that this particular location was not a hot spot for crime. He acknowledged there were problems in other parts of the town, however with other popular lively drinking bars nearby and frequent passing footfall in the area this was ideal premises for this type of application. He believed it was important to support the night time economy and vitality of the town and therefore would support the application.

Councillor Kaysar Hussain also voiced support for the application. He believed that this was ideal use of these premises and believed other types of business such as a fashion clothes shop would not wish to occupy these premises. He felt it important to support the night time economy and the vitality of the town centre.

During discussion members acknowledged the concerns raised by the Police Authority, however considered the crime figures for the area to be less in comparison to other areas. They believed the location to be in the leisure corridor of Yeovil with various cafes and a popular public house with dedicated doormen in the area that generates frequent passing footfall. In conclusion members voiced support for the application and believed it would help the night time economy, vitality and regeneration of the town centre.

During a short debate, members discussed and suggested reasons for approval. It was then proposed and subsequently seconded that planning permission be approved, contrary to the officer's recommendation for the following reasons as read out by the Planning Officer:

'The proposal would add to the important night time economy of Yeovil would through appropriate management via the licensing regime not cause fear of crime, impact upon quality of life or community cohesion. As such the proposal complies with Policy EQ2 of the adopted SSLP (2006 - 2028) and the aims and objectives of the NPPF.'

On being put to the vote this was carried unanimously.

RESOLVED:

To grant planning permission to application **17/02523/COU** for the following reason

'The proposal would add to the important night time economy of Yeovil would through appropriate management via the licensing regime not cause fear of crime, impact upon quality of life or community cohesion. As such the proposal complies with Policy EQ2 of the adopted SSLP (2006 - 2028) and the aims and objectives of the NPPF.'

Conditions

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.

The development hereby approved shall be carried out in accordance with the following approved plans block plan received 12 June 2017 and Location plan and floor plan received 3 July 2017.

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

Informative

You are reminded of the requirements of the DDA in relation to access for all people.

(voting: unanimous)

12. Planning Application 17/03214/REM - Land to the North of Thorne Lane, Yeovil (Agenda Item 12)

The Planning Officer presented the application as detailed in the agenda and with the aid of a power point gave a presentation showing the site, location plans and streetscene and proposed housing types.

He confirmed to members that standard comments had now been received from the Highways Authority. He also explained that this is an interim application in order for the developers to continue onsite and maintain build continuity in advance of a larger application to be submitted.

He believed that due to the continuation of the build process, no objections from the Highways Authority and Yeovil Without Parish Council the recommendation was to approve the application as set out in the agenda report.

John Bishop, on behalf of Charles Bishop Ltd, one of the Brimsmore Land Owners then addressed the committee. He clarified the application was for an interim period in order for the developers to continue onsite and maintain build continuity. He spoke of the recent exhibition for local residents and the excellent comments received in regard to the high standard of development of this award winning scheme.

The Development Manager confirmed to members that the suggested conditions and existing s106's are still secure and would continue to cover all matters.

During a short discussion, members acknowledged the excellent standard of the development undertaken. It was then proposed and subsequently seconded that planning permission be approved, as per the officer's recommendation as set out in the agenda report.

On being put to the vote this was carried unanimously.

RESOLVED:

To grant planning permission to application **17/03214/REM** for the following reason

01. This application for Reserved Matters approval follows the grant of Outline permission ref no 05/00753/OUT and the details accord with the principles set out in the outline application and in the Local Plan allocation for this site and with the relevant planning policies, including the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the plans as set out on the schedule dated 24th August 2017.

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

02. Prior to the commencement of any dwelling full details of the following shall be submitted to and approved in writing by the Local Planning Authority for each plot in the phase, or part thereof, to be constructed:-

- specific external wall materials, finishes and colours including sample panels for approval on site to show masonry coursing, jointing, bond and pointing and render finishes.
- details of any proposed parapets, string courses, plinths and mouldings
- specific window and door design details including sections and wall opening details including arch. lintel, cill, window/door surround and reveal depth.
- details of any porches and door hoods
- position and details of meter boxes and any external flue, vent and extract terminals
- roof materials, including samples
- roof ridge, hip, eaves, verge and rainwater goods details
- any chimney, dormer and roof light details.
- external works details of any steps, walls and copings, railings and fencing.
- details of any permanent external lighting proposed on building including any street lighting to be mounted on buildings (not including individual security lighting).

Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with the Design masterplan and planning statement in accordance with Policy EQ2 of the South Somerset Local Plan.

03. Prior to the commencement of any dwelling full details of hard and soft landscape proposals for that phase (or part thereof) of the development shall be submitted to and approved in writing by the local planning authority. Such details shall include:
 - maintenance prescriptions for existing landscape features to be retained e.g; trees and hedgerows,

- attenuation and swale elements within public open space,
- full details of all tree and hedgerow planting including street trees/shrubs.

Reason: To ensure a meaningful contribution to the urban design and open space elements in accordance with Policy EQ2 and EQ5 of the South Somerset Local Plan.

04. All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining any phase or part thereof of that part of the site being developed shall be protected from damage for the duration of works on that area to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of trees, hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within ten years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.
Reason: In the interests of the amenity of the area and to ensure proper planning of the development in accordance with Policy EQ2 and EQ5 of the South Somerset Local Plan.
05. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment as amended and surface water drainage strategy, particularly limiting the surface water run-off discharge from Catchments A, B or C to be no greater than the Qbar rate as shown in Table 4 in Appendix C of that report.
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with the NPPF.
06. Prior to the commencement of the surface water drainage scheme, for each phase or part thereof, a full operation and maintenance strategy shall be submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations; identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.
Reason: To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development in accordance with the NPPF.
07. The internal ground floor levels of the buildings to be erected shall be set as shown on Drawing No. DLS-2681/207(0717) RevB, unless any variation is first obtained in writing from the Local Planning Authority.
Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with the Design masterplan and planning statement in accordance with Policy EQ2 of the South Somerset Local Plan.
08. Prior to the commencement of any dwelling a strategy for the storage and collection of domestic recycling and refuse shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the locations of collection points (communal if necessary).
Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.
09. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and

approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The agreed landscape management plans shall be carried out as approved.

Reason: In the interests of visual amenity and to accord with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan.

Informatives:

01. You are reminded that four legal Agreements under S106 of the Town and Country Planning Act accompany this application and remain applicable in addition to the two Supplemental S106 Agreements agreed relating to community and highways.
02. You are reminded that there are informatives on the Outline Planning Permission 05/00753/OUT which remain of relevance for this and future phases of development.
03. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.
04. You are reminded of the Duty of Care for dealing with waste which is set out in detail in the response from the Environment Agency from whom additional guidance can be gained.
05. You are reminded to ensure that any works carried out do not adversely affect third party properties particularly when working in close proximity to existing houses or boundaries to residential properties.
06. With regards to Condition 09 the Local Planning Authority is seeking a plan that shows the intended land to be conveyed to private households, to the Highway Authority, to the Local Authority and/or Management Co. if applicable.

(voting: unanimous)

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Chairman

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Date