

Appendix 2 - Minutes from April 2015 Area South Committee

Agenda item

Planning Application 15/00763/FUL - Land Off Stone Lane Yeovil

- Meeting of Area South Committee, Wednesday 1st April 2015 2.00 pm (Item 124.)
- View the declarations of interest for item 124.

Minutes:

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

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

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

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

- The Highway Authority raised no objection to the application subject to conditions as set out in their response.
- A travel plan was submitted with the application and bus routes were available at Stone Lane and Combe Street Lane.
- A Provisional Tree Preservation Order (TPO) was made on site on 6th March 2015. SSDC have a responsibility to apply TPO's in the interim of a pending planning application should it be considered necessary.
- The site is located outside of the Local Plan development limit.
- The site lies alongside the Yeovil Development Limit.

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

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

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

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

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

In response to members questions the Development Manager explained that:

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

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

During members discussion several comments were made including the following:

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

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

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

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

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

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

Conditions to include:

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

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

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

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

RESOLVED:

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

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

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

SUBJECT TO THE FOLLOWING:

Legal Agreement

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

Conditions

- 1) 3 Yr Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

- 2) Submitted plans and subsequent amended plans

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

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

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

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

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

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

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

4) Landscaping

- (i) No works shall be undertaken unless a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

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

5) Archaeology

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

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

6) Ecological Management Plan

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

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

7) Surface water drainage scheme - EA

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

wildlife shall be provided. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

8) Management of agreed drainage scheme

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

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

9) Tree Protection Plan

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

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

Upon approval by the Council, the measures specified within the agreed scheme of tree protection measures, shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping measures.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the objectives within Policies EQ2 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

10) Levels

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

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

11) Lighting

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

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

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

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

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

13) Highways

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

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

14) Highways conditions as suggested by CHA.

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

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

15) Highways

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

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

16) Highways

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

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

17) Highways

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

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

18) Highways

At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing number 14888/T03. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

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

(Voting: Unanimous)