

South Somerset District Council

Minutes of a meeting of the **Regulation Committee** held on **Tuesday, 16th October 2007** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(10.00am – 11.25am)

Present:

Peter Gubbins (Chairman)

Tim Carroll	Mike Lewis
Tony Fife	Patrick Palmer
Julian Freke	Linda Vijeh
Henry Hobhouse	William Wallace

Also present:

Peter Seib

Officers:

Simon Gale	Head of Development and Building Control
Jean Marshall	Development Control Team Leader
Angela Oxenbury	Committee Administrator
Michael Sendall	Somerset County Highways

14. Minutes (Agenda Item 1)

The minutes of the meeting of the Regulation Committee held on Tuesday, 21st August 2007, copies of which had been previously circulated, were approved as a correct record and signed by the Chairman.

15. Apologies for Absence (Agenda Item 2)

Apologies for absence were submitted on behalf of Councillors Jill Beale, Mike Best, Pat Martin, Sylvia Seal and Kim Turner.

16. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

17. Public Question Time (Agenda Item 4)

There were no questions or comments from members of the public.

18. Approx 4.98ha of land to be developed as an extension to a Use Class B1/B2/B8 business park, together with associated roads, landscaping and infrastructure. Oak Farm, Lufton, Yeovil. (Agenda Item 5)

The Development Control Team Leader presented the report and explained that the application was for outline permission, therefore access and landscaping were to be agreed by the Committee and all other issues would be dealt with under reserved matters. She reported that the application had been submitted to Area South Committee for comments and there had been some discussion regarding the proposed access for cyclists/pedestrians onto Thorne Lane which Area South members did not support.

The Development Control Team Leader informed the Committee that the application was supported by a number of relevant documents and the report had been amended to include the comments of the Environment Agency and Highways Authority.

The Development Control Team Leader said the access onto Western Avenue was inadequate for the proposed new developments, therefore a Grampian condition would be imposed to secure improvements to the junction of Copse Road and Western Avenue. The main issue surrounded the proposed cycle/footway access from the site onto Thorne Lane that had not been supported by Brympton Parish Council but which Highways had said was essential to secure sustainable links to the site.

In summary, the Development Control Team Leader said the site was allocated in the Local Plan and the proposed use was not in question. The site had limited ecological value and the concerns regarding flooding had been overcome. Following agreement by the Environment Agency and Highways Authority, the recommendation had been updated.

With the aid of slides the Development Control Team Leader presented the site plan and photographs of the existing site. She indicated the proposed footway link to Thorne Lane on the boundary of Oak Farmhouse.

Roger Meecham, representing Brympton Parish Council, said the principle of development had been accepted by the parish council as the site had been designated in the Local Plan. However, there were concerns regarding the detail of the scheme including the need for additional landscaping on the northern boundary and lighting to meet darker skies requirements. He asked that building heights be carefully considered. He said the parish council was particularly concerned about the access onto Thorne Lane that was already used as a rat-run. On football match days cars were parked along the narrow lane. There was a fear that staff from the site would park there and cut through to their place of work. He refuted the claim that informal accesses would be created as there would be a 6 foot high security fence in place.

Councillor Peter Seib, ward member, reminded the Committee that Thorne Lane would be closed off as part of the Brimsmore development. He said it was a narrow and twisting lane of varying widths. The boundary was currently secure and his concern was that if the access was permitted, match day parking would worsen and emergency access would be impossible. If parking was encouraged, a traffic regulation order (TRO) would be necessary and its enforcement funded as part of the development. He felt that adequate access was already provided for pedestrian and cycle access and he urged retention of the access to the south as well as the solid boundary. He was concerned about the possibility of accidental damage to property that might result if football crowds took a short cut through the site.

The Highways officer commented that the problem of football crowds was not relevant to this development. He said if permission for the access was not granted, there would not be a requirement for a TRO as part of the proposal. There was already a link through the site at Lufton Way used by cyclists and motorcyclists. He acknowledged that there may be a temptation to park in Thorne Lane but conditions could be imposed to require a TRO and traffic calming measures. He said the Highways Authority was committed to obtaining sustainable transport from each new development and he recommended that the link be installed in the boundary.

The Highways officer confirmed that there was currently no speed limit in that part of Thorne Lane but one could be imposed as part of a TRO. He also confirmed that financial contributions from the overall development of the area would be invested in the traffic improvement works.

During the ensuing discussion, members suggested that:

- Football supporters would be encouraged to park in Thorne Lane and walk through the site, thus avoiding congestion around the football club.
- It would be dangerous to put a cycleway directly onto Thorne Lane.
- A TRO to control speed and parking could be the solution to the match day traffic problems in Thorne Lane.
- More parking in Thorne Lane would result in problems of access for emergency vehicles.

A member asked whether it would be reasonable to ask the applicant to contribute to traffic calming measures in Thorne Lane if no link was permitted. The Head of Development and Building Control advised that any contribution has to be relevant to the development. If there were to be no access, the development would not impact on Thorne Lane and the obligation could not be sought.

The Development Control Team Leader confirmed that a formal footpath link had been proposed as part of the application but if not granted, the applicant could provide an informal access which would not be controllable by condition.

A member expressed concern that the southern boundary of the site would be close to Lufton Manor and could bring with it problems for staff and students of vehicles parking nearby. The Development Control Team Leader reminded members that as the application was in outline only the exact location of buildings was unknown at this stage. However, a scheme of attenuation was shown in the corner closest to Lufton accommodation which should help mitigate this.

Further discussion centred on the imposition of a TRO and its enforcement by police. The ward member informed the Committee that Highways had refused Brympton Parish Council's request for a TRO in Thorne Lane on the grounds that the police would object. A member commented that the police did not enforce TROs as a matter of policy and other members were also sceptical that a TRO would be enforced.

A member suggested that allowing the link through the boundary would afford an opportunity to gain a financial contribution from the developer for traffic calming measures. It was agreed that this opportunity would not occur again.

It was proposed and seconded that permission be granted for the development without the proposed access from the site onto Thorne Lane and consequently the deletion of Condition 25 requiring visibility splays to such access. On being put to the vote, the

motion was lost by two votes in favour to seven votes against. The officer's recommendation was then put to the vote and was carried unanimously.

RESOLVED: that permission be granted subject to:

- a) the submission of a Green Travel Plan,
- b) the prior completion of a S106 planning obligation (in a form acceptable to the Council's solicitor) before the decision notice granting planning permission is issued, the said planning obligation to cover the following item:
 - i) off-site highway improvement works
- c) and subject to conditions 1 to 29 as set out in the report.

(Voting: Unanimous)

19. Painting of a mural on east elevation. 80 South Street Yeovil (Agenda Item 6)

The Committee considered this and the following application together.

The Development Control Team Leader advised that the application had been referred to the Committee as the Council was the applicant and Yeovil Town Council had objected to the listed building consent. She said the proposal was to replace an existing advertisement with another advertising the Yeovil Vision.

Members agreed that the mural would be an opportunity to place the Yeovil Vision, one of the Council's corporate priorities, in the public view. They supported the proposal as promoting the future of Yeovil.

However, members were concerned that a precedent for advertisements on listed buildings would be set and the public perception would be that of the District Council giving itself permission whereas others may be refused. They asked whether a time limit could be imposed on the consent.

The Head of Development and Building Control advised the Committee that precedents had been set elsewhere in the district and it would be reasonable to impose a time limit of five years on the consent.

Members noted that the history of the building had already set a precedent for a mural and they agreed that permission be granted for five years.

RESOLVED: that the Government Office of the South West be recommended to grant Listed Building Consent for the painting of a mural on the east elevation of 80 South Street, Yeovil, for a period of 5 years.

(Voting: Unanimous)

20. Proposed new mural on end elevation of premises. 80 South Street Yeovil (Agenda Item 7)

RESOLVED: that advertisement consent be granted for a period of 5 years, subject to the conditions as set out in the report.

(Voting: Unanimous)

21. Date of Next Meeting (Agenda Item 8)

Members noted that the next meeting of the Committee is scheduled to take place on Tuesday, 20th November 2007 at 10.00am in The Council Chamber, Council Offices, Brympton Way, Yeovil.

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Chairman