

South Somerset District Council

Minutes of a meeting of the **Area South Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil. on Wednesday 1 February 2023.**

(2.00 - 3.50 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

John Clark	Graham Oakes
Karl Gill	Wes Read
Andy Kendall	Gina Seaton
Mike Lock	Peter Seib
Pauline Lock	Andy Soughton
Tony Lock	Rob Stickland



Also present:

Barbara Appleby (On-line via Zoom)

Officers:

Jo Boucher	Case Officer (Strategy & Support Services)
Becky Sanders	Case Officer (Strategy & Support Services)
Dan Bennett	Property and Development Project Manager
Adam Burgan	Arts & Entertainment Manager
Natalie Fortt	Regeneration Programme Manager
John Hammond	Lead Specialist (Built Environment)
Debbie Redding	Specialist, Planning

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

28. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on 25th June 2019, 18th Dec 2019, 4th March 2020 and 5th October 2022, copies of which had been circulated, were agreed as a correct record and were signed by the Chairman.

29. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Nicola Clark, David Recardo and Jeny Snell.

30. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

31. Public question time (Agenda Item 4)

There were no questions from members of the public.

32. Chairman's announcements (Agenda Item 5)

The Chairman informed members that there will be a meeting held in March and will be the last meeting of Area South Committee prior to vesting day of the new Somerset Authority.

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

There were no reports from representatives on outside organisations.

34. Schedule of Planning Applications to be Determined by Committee (Agenda Item 7)

Members noted the schedule of planning applications.

35. Planning Application 22/02486/FUL - Octagon Theatre, Hendford, Yeovil, Somerset, BA20 1UX (Agenda Item 8)

Proposal: Partial demolition, renovation and extension of Octagon Theatre, Yeovil. Expansion of main auditorium from 622 to 900 seats, construction of 2no. new cinemas, dance studio and expanded foyers. Construction of new theatrical fly-tower and expanded backstage provision.

The Planning Specialist presented the application and with the aid of slides, she proceeded to highlight the site and proposed plans including:

- Levels and access to the building.
- Various elevations.
- Highlighted the fly tower extension.
- Location of trees, tree removal plans and those trees to be retained.
- Proposed landscape plan.
- Heritage impact on the listed buildings of Hendford Manor and the Coach House along with the conservation area.
- Illustrative plans of the proposed building and outside areas.
- Proposed drainage plan including surface water drainage and location of proposed attenuation tanks. She confirmed that discussions were on-going with the Lead Local Flood Authority (LLFA) and that subject to agreement to the revised drainage strategy the details of this could be dealt with by condition.

The Planning Specialist presented the key considerations and comments in summarised form were:

- Principle of Development – Yeovil is the strategic town as allocated in the Local Plan with development identified for leisure and cultural and therefore supported by Local Plan Policy.
- Landscape and Trees – Initial concerns were raised regarding the detail of tree protection and landscaping scheme, however following further discussion and additional information the council's tree officer is now satisfied subject to the relevant conditions.
- Heritage Impact – Acknowledge there is some impact but consider it to be less than substantial and with considerable public benefit is acceptable and therefore outweighs any harm. She noted the improved landscaping and the removal of parking and that the proposed mitigation suggested by Historic England could not be provided where this was not in the control or ownership of the applicant.
- Access and Parking – No objections have been raised by the Highways Authority with the adjacent Petters Way car park and with several other car parks in close proximity believe to be acceptable. As requested by the Highway Authority a travel plan will be implemented and controlled with a legal agreement if required.
- Drainage – Reiterated her comments regarding discussions with the LLFA and the intention that drainage details can be dealt with by condition.

Referring to the slides she proceeded to clarify that her recommendation was to approve the application subject to:

- The completion of suitable legal agreement to secure the detail and implementation of the Travel Plan for the site, if required and necessary given the timing of the forthcoming Unitary Authority.
- Agreement of the drainage strategy and suitable conditions in agreement with the LLFA.

And with the conditions as set out in the agenda report with amendments to the following conditions following the tree officers' comments:

- Delete landscape plan from list as stated in condition 2.
- Revised wording within condition 4.
- Revised wording within condition 5 and 6.

In response to members' questions the Planning Specialist and Lead Specialist, Planning clarified:

- Exact curtilage of the site plan.
- A separate application would need to be submitted for signage and advertisement permission.
- Provision for EV charging points were included within the application and within the Travel plan.
- Acknowledged there were other buildings not shown within the presentation but located within the area and consider these to already have had an adverse impact on the heritage assets
- The turning area for lorries and confirmed that a swept path analysis had been undertaken and that the highways authority had raised no objections.
- A sustainability statement had been submitted within the application with the intention to provide PV solar panels on the roof, low energy consumption and carbon emissions and has been considered as part of the proposal. This could be linked as a planning requirement by condition if members felt it necessary.

- Acknowledge the challenges of climate change and although welcomed the proposed initiatives the planning authority could not demand them based on the current local plan.
- Proposed cladding of the building is covered by building control regulations.
- Considered the original setting of Hendford Manor had long since been eroded over time and leaves the principal significance to be the front façade. Although acknowledge there is some impact of this proposal on the façade it is less than substantial which should be weighed against the considerable public benefit of the proposal.
- Corten steel cladding is thought to be appropriate in this case for reasons set out within the application.
- Proposed staff parking, disabled parking and bike storage within the scheme and confirmed the requirement within the travel plan.
- Confirmed the auditorium seating capacity proposed would increase from 622 to 1090, however could not confirm the employment figures.
- Explained the reasoning why phosphates are not a consideration for this application.
- Confirmed a 'drop off' system for coaches was already in place and would continue.
- Current planning policy does not set specific standards but merely supportive of renewable energy, therefore cannot demand it. Understand the frustration in the current local plan but the current policies cannot force a particular standard but only encourage it.
- The sustainability aspects of the application including PV and air source heat pumps and use of electricity and low fossil fuel.

The Project Manager for the Octagon redevelopment project addressed the committee. He explained the project was operating in a tight town centre site with car parking already located within a five-minute walk of the site which had capacity for a significant number of cars. He said one of the key drivers of the project was to improve access into the main building for the disabled and that the proposed main entry level was to be located on the first floor and on a level with the Petters Way car park. He confirmed EV charging points were already being installed onsite and should be operational soon.

The agent addressed the committee. His comments included:

- Sustainability approach was a key part of the design with the building designed to be as low energy as possible which included very high fabric insulation values, all services within the building to be electrically driven, heating provided by air source heat pumps and the roof to be covered with as many PV solar panels as possible.
- Much of the building will be retained as possible, with vast majority of the new structure to be timber frame or steel frame where necessary.
- Acknowledged concerns raised regarding the use of the Corten steel cladding, and explained why this material had been selected in order to create and harmonise with the natural parkland setting, appearance to change over time and being a non-combustible long lasting material with very little maintenance required.
- Confirmed Fly tower would be approximately 22 metres in height.

The Arts and Entertainments Venues Manager also addressed the committee. He explained the current coach parking procedure and reassured members of the continued management of the process going forward. He also confirmed the current staff parking

practices and confirmed the toilet provision had increased significantly with toilets located on every level.

Councillor David Gubbins, ward member voiced his support of the application. He believed this application would be a huge benefit to not only Yeovil but the whole district and would draw many more people into the town.

Councillor Andy Soughton, ward member felt the harm to the setting of the nearby heritage assets had been made a long time ago. He said it was a fantastic opportunity for the whole of Somerset and fully supported the application.

Councillor Karl Gill, ward member also voiced his support of the application. He believed it provided huge benefit to Yeovil and the surrounding areas and would provide one of the biggest entertainment venues in the south west and have a huge benefit to the night time economy.

Following members discussion, several other comments were made including:

- Raised some concern regarding the proposed cladding but considered the benefits of the proposal outweighed any detrimental effects or concerns.
- Believe the cultural offer to the area and the huge public benefit outweighs any adverse effects to the setting of the heritage assets.
- Acknowledged the reasoning for the use of proposed cladding and believed this to be 'flagship' venue and is of modern heritage design.
- Consider the car parking provision in the area to be acceptable noting other similar venues offering less than this proposal.
- Provide a huge boost to the night time hospitality industry.
- Considered the original setting of the heritage assets had long since been eroded and believed this proposal to have very little impact and is less than substantial which is outweighed by the public benefit.
- Fantastic opportunity for Yeovil and boost for the town and its economy.

In response to questions raised the Arts & Entertainment Venues Manager explained how the funding has already enhanced the benefits of the local residents. He believed it to be transformation of the whole service that will play a huge role in the town and enable more opportunity and engagement to the wider area attracting many more people into the county and local areas.

There being no further debate it was then proposed and seconded to approve the application as per the officer's recommendation and with the amendments to the following conditions as previously stated:

- Delete landscape plan from list as stated in condition 2.
- Revised wording within condition 4.
- Revised wording within condition 5 and 6.

On being put to the vote this was carried unanimously.

RESOLVED:

That Area South Committee recommend application **22/02486/FUL** be approved for the following reason:

Delegate for approval subject to:-

- o the completion of a suitable legal agreement between the applicant and Highway Authority to secure the detail and implementation of the Travel Plan for the site, unless this proves to be unnecessary within the forthcoming Unitary Authority.
- o agreement of the drainage strategy and suitable conditions in agreement with the LLFA.

01. The general principle to improve, update and extend the existing Octagon theatre is supported by both National and Local Planning Policy. The scheme would be a positive benefit for the economy and local community, and the location is sustainable. Although the design includes relatively large extensions to the building, the site is within an urban location with sufficient space to accommodate the scale of the proposal. There is less than substantial harm to heritage assets which is outweighed by the public benefits of the scheme, landscaping and planting will help to mitigate this harm and enhance the area around the building, and access and parking are acceptable. The scheme is therefore in accordance with relevant policies of the South Somerset Local Plan and 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 permitted shall be carried out in accordance with the following approved plans reference:

OCT-2063-FCBS-ZZ-ZZ-DR-A-1050_Location Plan-P02
 OCT-2063-FCBS-ZZ-ZZ-DR-A-1051_Block Plan - Proposed-P01
 OCT-2063-FCBS-ZZ-0A-DR-A-0600_GA-Plan-1-200-Level-0A-P01
 OCT-2063-FCBS-ZZ-1A-DR-A-0601_GA-Plan-1-200-Level-1A-P01
 OCT-2063-FCBS-ZZ-2A-DR-A-0602_GA-Plan-1-200-Level-2A-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0604_GA-Plan-Technical and Gallery Levels- P01
 OCT-2063-FCBS-ZZ-B1-DR-A-0605_GA-Plan-1-200-Level-B1-P01
 OCT-2063-FCBS-ZZ-R3-DR-A-0606_GA-Plan-1-200-Level-R3-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-1920_Demolition-Plan-Level-0A-B1-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-1921_Demolition-Plan-Level-1A-P01
 CCT-2063-FCBS-ZZ-ZZ-DR-A-0700_GA-Section-AA-Stage-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0701_GA-Section-BB-Auditorium-Long-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0702_GA-Section-CC-Extension-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0703_GA-Section-DD-Extension-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0704_GA-Section-EE-Auditorium-Cross-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0800_GA-Elevation-North-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0801_GA-Elevation-East-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0802_GA-Elevation-South-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0803_GA-Elevation-West-P01
 OCT-2063-FCBS-ZZ-ZZ-DR-A-0804_GA-Elevation-North West-P01

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

03. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the walls and roofs shall have been

submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

04. Prior to commencement of the development, site vegetation clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, the pre-commencement requirements of the submitted scheme of tree measures (Ref: AIA, TPP1 & AMS as prepared by Bosky Trees Arboricultural Consultancy) must be installed and made ready for inspection by a suitably experienced and qualified Arboriculturalist who must confirm in-writing to the Council that the approved tree and hedgerow protection measures (in particular, any required fencing, signage and ground-protection installations) have been installed to a satisfactory standard. To comply with this planning condition, you will need to instruct your appointed Arboriculturalist to contact us at: planning@southsomerset.gov.uk - quoting Planning Reference: 22/02486/FUL.

The approved protection requirements (inclusive of the Arboricultural supervision and compliance-monitoring measures) must remain implemented in accordance with the approved scheme throughout the duration of the construction of the development (inclusive of hard and soft landscaping installations) and they may only be moved, removed or dismantled in accordance with the requirements of the approved scheme.

Reason: To preserve existing landscape features (trees and shrubs) and to ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period.

05. No development works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme of hard and soft landscaping measures. The submitted scheme shall clearly confirm the details, materials, levels and dimensions of any intended tree or shrub planting, tree pit design, earth-moulding, boundary treatments (for example, hedgerows, fences & walls), seeding, turfing and the installation of hard-surfaces, pathways, driveways and parking spaces. All planting stock must be specified as UK-Grown, and details must be provided in relating to the planting locations, planting matrixes, numbers of individual species, sizes, forms, root-types & root-volumes and the intended timing of planting. Installation details to ensure successful establishment, specifically relating to ground-preparation, the use of bio-degradable geo-textiles and other weed-suppression and ground stabilising measures, surface-mulching, strimmer-guarding, staking, supporting and tying must also be included within the submitted scheme. All planting comprised in the approved scheme must be carried out within the dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they must be replaced within the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs and to secure a quality scheme of landscaping.

06. Wording combined within condition 05.
07. The development hereby permitted shall not be occupied until the network of cycleway and footway connections shown on the approved plans has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

08. Prior to first use of the development hereby permitted, no fewer than 40 spaces for staff and visitors' bicycles shall be laid out, constructed and drained in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

Reason: To ensure provision of adequate cycle parking to support sustainable transport.

09. Prior to first use of the development hereby permitted a scheme showing full details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development or nearby car parking facilities along with a timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timetable and retained as such thereafter.

Reason: To promote the use of more sustainable transport modes.

10. Prior to the first use of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Implementation and monitoring of the Travel Plan shall be carried out as agreed and secured by an appropriate legal agreement between the applicant and the Highway Authority unless such an agreement is deemed to be unnecessary by the Local Planning Authority.

Reason: To promote the use of more sustainable transport modes.

11. Prior to first use of the development hereby permitted the on-site parking spaces for blue badge holders and a properly consolidated and surfaced turning space for vehicles shall be provided and constructed within the site as detailed on the approved plans. Such parking and turning spaces shall be kept clear of obstruction in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. Such provision shall be installed prior to first use of the development and thereafter maintained in perpetuity.

Reason: To ensure the site is properly drained and that surface water does not flow onto the highway in the interests of highway safety.

13. No development shall take place, including any demolition works, until a construction Environment management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include:
- o 24 hour emergency contact number;
 - o Hours of operation;
 - o Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - o Routes for construction traffic;
 - o Locations for loading/unloading and storage of plant, waste and construction materials being off highway and vehicle movements controlled by a banksman;
 - o Method of preventing mud being carried onto the highway including a wheel wash facility and regular employment of a road sweeper;
 - o Measures to protect vulnerable road users (cyclists and pedestrians)
 - o Any necessary temporary traffic management measures;
 - o Arrangements for turning vehicles;
 - o Arrangements to receive abnormal loads or unusually large vehicles;
 - o Methods of communicating the CEMP to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of highway safety and amenity.

14. No external lighting shall be installed within the site or in association with the development until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed, operated and retained in accordance with the agreed details.

Reason: To protect visual amenities and avoid disturbance or nuisance to the surrounding area.

15. Details of the type and location of 2 bat boxes and 2 bird boxes to be erected on trees within Pen Hill Park shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected as agreed prior to first use of the development hereby approved.

Reason: To enhance or protect biodiversity.

Informatives:

01. The developer/applicant is reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. In the event that vegetation removal will be taking place then further consultation must be sought prior to this.

The developer/applicant is reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

Nesting birds and bats, their roosts and their access to these roosts, are protected under the Wildlife and Countryside Act 1981. Therefore, should birds or bats be present in the trees concerned, felling/surgery should be deferred until late Summer/Autumn. .

(voting: unanimous)

36. Area South Forward Plan (Agenda Item 9)

The Case Officer, Strategy and Commissioning informed members of an additional report would be brought to the March meeting regarding the Welcome to Yeovil Signs. There were no other updates.

Members noted the report.

37. Planning Appeals (For information only) (Agenda Item 10)

Members noted the planning appeals.

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Chairman