

South Somerset District Council

Minutes of a meeting of the **Area South Committee** held at the **Council Chamber, Council Offices, Brympton Way, Yeovil. on Wednesday 7 February 2018.**

(2.00 - 4.15 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

Cathy Bakewell	Graham Oakes
John Clark	Wes Read
Nigel Gage	David Recardo
Kaysar Hussain	Gina Seaton
Andy Kendall	Peter Seib
Sarah Lindsay	Alan Smith
Mike Lock (from 3.20pm)	Rob Stickland
Tony Lock	

Officers:

Jo Boucher	Case Services Officer (Support Services)
Natalie Fortt	Area Development Lead South
Jane Green	Planning Assistant
Linda Hayden	Area Lead Planner (South)
Richard Needs	SCC Service Manager – Engineering Design
Angela Kerr	Chief Executive Officer, CASS

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

62. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on 3rd January 2018 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

63. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillor John Field.

64. Declarations of Interest (Agenda Item 3)

Councillor Andy Kendall declared a personal interest in Item 12 Planning Application 17/04679/FUL as he had been involved in the project leading to the submission of the application.

65. Public question time (Agenda Item 4)

There were no questions from members of the public.

66. Chairman's announcements (Agenda Item 5)

The Chairman informed members of the Yeovil Refresh launch to be held in the Quedam Shopping Centre on 2nd and 3rd March 2018 between 12.00 – 2.00pm.

He also suggested that following the Transformation briefing held before today's committee a further briefing be arranged after the next Area South Committee in order that all members have the opportunity to attend. Further discussions will take place with the Transformation team and members will be informed accordingly.

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

Councillor John Clark told members that following the conditional award of £50,000 for the Westfield Community Hall from the Big Lottery, pledges had also been made from Yarlington Housing Group for £50,000 and £3,500 from Yeovil Without Parish Council. A capital bid of £94,000 was also being taken to the next Full Council.

68. Yeovil Western Corridor Update (Agenda Item 7)

Richard Needs, Somerset County Council's Service Manager – Engineering Design with the aid of slides presented members with an update of the Programme of Works.

He updated members on the personnel of the site team from both Somerset County Council and the main contractor Alun Griffiths and gave details of the Project Information Centre opened opposite Palmers Garden Centre , open Tuesdays 13.00 – 17.00 (from Dec 2017).

He appreciated it was a complex scheme and that every effort has been made to minimise congestion in the coming months. He informed members of the progress of the works to date, including the work currently being carried out at Bluebell roundabout and the upcoming tree removal programme of works along Preston Road.

During discussion the Service Manager – Engineering Design noted the comments from members and responded to questions including:

- Appreciate concerns regarding the upcoming tree removal scheme to take place along Preston Road, however there is a need to provide an improved footway/cycleway and that the fir trees need to be removed in order to build a retaining wall to safeguard the adjacent properties. He acknowledged there could be a slight increase in noise levels however these properties were located at a significantly higher level than the existing highway.
- There may be an opportunity in liaison with the SSDC Tree Officer to discuss a future landscaping scheme to mitigate any noise from the removal of these trees once the programme of works had been completed.
- Local consultation has been going on for some time and residents had been made fully aware of these works being carried out.

- Appreciate concerns regarding the congestion of traffic this will cause especially as Thorne Lane is currently closed. However due to the bird nesting season tree removal is required to be completed by the end of February and in order to minimise congestion decided on the week beginning the 12th February as this was school half term week.
- Once all works had been completed a review of the road islands would take place with Yeovil in Bloom to agree a replanting arrangement.

At the conclusion of the discussion it was confirmed the next quarterly update presentation be made at the May committee. The Chairman thanked the SCC Service Manager for his presentation.

69. Citizens Advice South Somerset (CASS) (Agenda Item 8)

The Chairman welcomed Angela Kerr, Chief Executive Officer, Citizens Advice South Somerset to the meeting. With the aid of a powerpoint presentation she informed members of the work and future development of Citizens Advice South Somerset. Points mentioned during her presentation included the following:

- Activity Statistics for 2017/18 up to end of December 2017 – approximately a similar number of clients being dealt with however the complexity of cases and length of time is changing.
- The main client issues were around benefits and tax credits, debt and housing.
- Comparison of the National Client Trends regarding rise in young people needing advice, online access and face to face clients and future preference for access to services.
- Ambitions for the future – Extend outreach – weekly in every town and twice weekly in Chard; Work more closely with health & other Advice centres; Continuing to invest in Skype bringing advice into rural communities and Focusing on priority groups.
- Recruitment of volunteers – 35% increase in number of hours volunteers are active (average 936 month); Average number of volunteers 47; 8 interns in Training.
- Working with various partners including to help build confidence with Mental Health clients and Legal advice.
- Fuel Poverty advice sessions.
- Working with Surviving Winter, Macmillan Cancer support and MS Society.
- General Data Protection Regulation (GDPR) – Having to renew Data Sharing with SSDC.
- Universal Credit and issues in relation to Habitual Residency Test (HRT).

In response to questions, the Chief Executive Officer, Citizens Advice South Somerset informed members that:

- Changes to GDPR will not have a huge impact on the service as CASS does not share information with outside organisations. Main issue with GDPR is that data can be removed by right of individual.
- Acknowledged that engaging schools and young people regarding financial education and personal budget sessions is a challenge.

The Chairman thanked Angela Kerr, Chief Executive, Citizens Advice South Somerset for attending the meeting.

70. Area South Forward Plan (Agenda Item 9)

The Case Services Officer confirmed to members that the confidential Historic Buildings at Risk report and the Strategic Key Sites report and would be brought to the April and May committee respectively.

The Work of the Conservation Service Report would not be presented as the Council moved towards Transformation and the Yeovil Vision and Regeneration Update report be reviewed due to the position of the Yeovil Refresh project.

- 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)

71. Appeals (Agenda Item 10)

Members noted the Planning Appeals.

72. Schedule of Planning Applications to be Determined by Committee (Agenda Item 11)

Members noted the Schedule of Planning Applications.

73. Planning Application 17/04679/FUL - Milford Adventure Playground Milford Road Yeovil (Agenda Item 12)

The Planning Assistant presented the application as detailed in the agenda explaining it had been referred to committee due to SSDC being the applicant and the neighbourhood objections received. With the aid of a powerpoint presentation proceeded to show the site and proposed plans.

She referred to the two main issues for consideration being the visual impact of the floodlights and the impact the floodlights on residential amenity. She explained that given conditions imposed on similar facilities in the district a condition is proposed to prevent operation of the floodlights for outside the hours of 0800 and 2130 hours. She therefore concluded that for reasons set out in the agenda report the recommendation was to approve the application.

In response to members' questions the Planning Assistant confirmed that:

- The existing lighting columns within the site were used to light the general vicinity of the park.

- The application has been assessed by the Council's Environmental Protection Officer who had raised no objection regarding the illuminance levels of the proposed floodlights.

Councillor Andy Kendall, Ward member believed the proposal would enhance the use of the facilities, benefit the wider community use and promote health and well-being.

Councillor Kaysar Hussain, Ward member believed there was a clear need to support the increase use of the Multi Ball Court and Skate Park and that the light pollution would not have a significant effect on the nearby properties as they were positioned some 50 metres away. He believed the lighting would improve the anti-social behaviour and therefore overall would support the application.

During a short discussion members expressed their full support of the application and therefore it was proposed and subsequently seconded to approve the application as per the officer's recommendation as set out in the agenda report. On being put to the vote this was carried by 15 votes in favour, 0 against and 1 abstention.

RESOLVED:

That application **17/03894/FUL** be approved for the following reasons:

01. The proposed development, due to its location, scale and nature, is not considered to result in any demonstrable harm to the local landscape, residential or visual amenity and therefore accords with the aims and objectives of EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the principles of the National Planning Policy Framework (2012).

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:

Location plan (scale 1:1250) and MC1-RevA

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

03. The materials to be used in the development hereby permitted shall be those as identified within the planning application form and technical information dated on the electronic file 09 January 2018 hereby approved and no other materials unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to comply with saved policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework

04. The floodlights hereby approved shall only be operated between 0800 and 2130 hours and programmed to prevent their use outside these agreed times. No other means of illumination shall be installed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of the area and to protect residential amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

(voting: 15 in favour, 0 against and 1 abstention)

74. Planning Application 17/03894/FUL - Land East of Woodhouse Lane Woodhouse Lane Montacute (Agenda Item 13)

(This item was taken before Item 12 on the agenda)

The Area South Lead presented the application as detailed in the agenda and with the aid of a powerpoint presentation showed the site and proposed plans.

She clarified the two main issues for consideration being the visual impact on the surrounding area and the impact the proposal would have upon the setting of the heritage asset.

The Area South Lead referred members to the Landscape Officers' comments who said the proposal would erode the local character and is located in an isolated area. She also reported the Conservation Officers' concerns who felt the current temporary form of the building would contrast with the more formal proposed building which would be harmful to the setting of the listed building and believed the siting of the polytunnel would harm the open setting of the burial ground. She therefore concluded that for reasons set out in the agenda report the recommendation was to refuse the application.

In response to members' questions the Area Lead South confirmed that:

- The building is located on an open greenfield site some distance from the village.
- The upkeep of the burial ground and its access is the responsibility of the owner and because it is listed the Council has a layer of protection to ensure its preservation.
- There is no residential occupancy of the current building and therefore used in accordance with the uses of the land.

Helen Lazenby, the agent then addressed the committee. She said the buildings were lawful and could be used for the foreseeable future however the applicant wished to increase the output and tidy up the overall site and building. She said it was not practical to move elsewhere and that the building had been erected prior to the wall being listed. She believed the proposal would enhance the visual appearance of the area and the resetting of the building away from the wall would allow for the exterior to be properly maintained. She referred to Policy EQ3 of the Local plan stating that heritage assets should be conserved and enhanced where possible and that the surrounding fields also contained barns, stables and fencing and therefore this proposal would not be out of keeping. She referred to the support of the Odcombe Parish Council and that there had been no local objections.

Councillor Gina Seaton, Ward member believed the proposal would blend with the current landscape due to the numerous stables and equestrian buildings located nearby in the surrounding fields. She believed this to be a sensible development, be in keeping with the area and should look to support this enterprise. She noted support from Odcombe Parish Council and would therefore support the application.

Councillor Cathy Bakewell, Ward member believed the area would benefit from a tidy up and understood that the adjacent listed burial ground had not been used for a considerable time. She felt the resetting of the building would improve the appearance of the wall and would not affect the burial ground in any way. She also believed the surrounding area contained many equestrian buildings and that the polytunnels were not classed as a permanent structure. She therefore felt the proposal would improve the site and would therefore support the application.

During member's discussion, varying comments were made including:

- The resetting of the building would improve the appearance of the listed wall and allow for the exterior to be properly maintained.
- Understood that polytunnels were classed as a temporary structure and can be removed at any time.
- Appreciated the site is located in open countryside however believed the area to have numerous stables and equestrian buildings located nearby.
- Believed this proposal would tidy up the area and the potential improvement to the site benefit and conserve the setting of the heritage assets.

Following a short discussion it was then proposed and subsequently seconded to refuse the application as per the officer's recommendation as set out in the agenda report. On being put to the vote this was lost unanimously.

Following a further discussion it was then proposed and subsequently seconded to approve the application for reasons and with conditions as agreed by members as follows:

'The proposals will conserve the setting of the heritage asset and in these exceptional circumstances will allow better access to the listed structure with limited disturbance to historic fabric thus providing benefit to outweigh the limited harm that will result. Furthermore the proposals are considered to respect the character of the rural surroundings.'

With additional conditions to include:

- No means of external illumination.
- At no time shall be used for livery, as a riding school or for any other business purposes.
- A landscaping scheme to be implemented.

Informatives to include:

- Consideration of Potential Contamination of land.
- Rights of way obstruction.

On being put to the vote this was carried unanimously.

RESOLVED:

That application **17/03894/FUL** be approved for the following reasons:

The proposals will conserve the setting of the heritage asset and in these exceptional circumstances will allow better access to the listed structure with limited disturbance to historic fabric thus providing benefit to outweigh the limited harm that will result. Furthermore the proposals are considered to respect the character of the rural surroundings. The proposals are therefore in accordance with policies EQ2, EQ3 and EQ8 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

And subject to the following conditions:

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans received 26 September 2017: Location Plan (1:2500), Block Plan (1:500), Proposed Stables Building (1:100) and Proposed Polytunnel (1:100).

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

3. No work shall be carried out to erect any walls or roofs unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

4. No work shall be carried out to the listed wall unless details of any making good of the existing structure abutting the building to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with policy EQ3 of the South Somerset Local Plan 2006-2028.

5. At no time shall the stables or associated land be used for livery, as a riding school or for any other business purposes.

Reason: To protect the amenity of the locality in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

6. No means of external illumination shall be installed on any part of the buildings/structures hereby approved without the prior written consent of the Local Planning Authority. Any details that may be agreed shall not be subsequently altered unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of residential and visual amenity and to comply with policy EQ2 of the South Somerset Local Plan (2006-2028).

7. No later than within the first planting season following first use of any of the structures hereby approved, a landscaping scheme shall be carried out and completed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

Informatives

1. The application site is within 250 metres of a suspected landfill site. The applicant/developers attention is drawn to the fact that there is the potential for production and migration of landfill gas. You are reminded that the responsibility for safe development rests with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health service will make available to you, free of charge, any information or data that it has in relation to the land to which the application applies. For further information please contact Tim Cox 01935 462526.

2. The Rights of Way Officer, Somerset County Council (SCC) advises:

Any proposed works must not encroach on to the width of the Public Right of Way (PROW).

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. SCC has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from SCC Rights of Way Group:

- A PROW made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carry out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit SCC Rights of Way pages to apply for a temporary closure: <http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/>

(voting: unanimous)

75. Items for Information (Agenda Item 14)

Members noted the Items for Information.

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Chairman

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Date