

## **South Somerset District Council**

**Minutes** of a meeting of the **Area South Committee** held at **the Council Chamber, Brympton Way, Yeovil, Somerset on Wednesday 6 June 2018.**

(2.00 - 4.35 pm)

### **Present:**

### **Members:**

John Clark	Wes Read
John Field	David Recardo
Nigel Gage	Gina Seaton
Andy Kendall	Peter Seib
Tony Lock	Rob Stickland
Graham Oakes	

### **Officers:**

Jo Boucher	Case Services Officer (Support Services)
Natalie Fortt	Area Development Lead South
Linda Hayden	Area Lead Planner (South)
Marc Dorfman	Senior Planning Adviser

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

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## **5. Minutes of previous meeting (Agenda Item 1)**

The minutes of the Area South Committee held on 2<sup>nd</sup> May 2018 and 17<sup>th</sup> May 2018 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

## **6. Apologies for absence (Agenda Item 2)**

Apologies for absence were received from Councillors Cathy Bakewell, Peter Gubbins, Kaysar Hussain, Sarah Lindsay, Mike Lock and Alan Smith.

## **7. Declarations of Interest (Agenda Item 3)**

There were no Declarations of Interest.

## **8. Public question time (Agenda Item 4)**

There were no questions from members of the public.

## **9. Chairman's announcements (Agenda Item 5)**

The Chairman informed members that a workshop will be held after the 4<sup>th</sup> July 2018 Area South Committee to identify the area priorities for the new Area Plans. He asked that members please attend.

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

Councillor John Clark reported that the Westfield Community Association funds for the Community Hall had now exceeded £759,000 and that the design would be complete by 4<sup>th</sup> July 2018.

**11. Community Safety - Yeovil One Update (Agenda Item 7)**

The Area South Development Lead presented the report as detailed in the agenda and explained that progress had plateaued since the Co-ordinator had left the authority. She said a new appointment had now been made for a 12 month secondment and was hopeful that person would start within the next couple of weeks.

She explained the work undertaken by the Yeovil One Tactical Group and the possibility of dealing with anti-social behaviour through the use of Civil Injunctions and also the drafting of proposed extensions to the Public Space Protection Orders currently in place in Yeovil. She confirmed members would be informed of any changes to these orders.

In response to members' questions, she confirmed that:

- The Yeovil One Tactical Group have extended the area of boundaries to cover other areas of Yeovil in addition to Yeovil Central.
- Noted the invitation proposed by Councillor David Recardo to invite the new Chief Inspector of Yeovil Sharon Bennett and Tim Coombe from Avon and Somerset Police Authority to attend committee in the Autumn to give an opportunity to share information and to see how they see her role develop.

Members thanked the Area South Development Lead and noted the report.

**NOTED**

**12. Appointment of Working Groups & Outside Bodies (Executive Decision) (Agenda Item 8)**

The Committee agreed the appointment of members to serve on the various working groups, panels and outside bodies for 2018/19.

- RESOLVED:**
1. that members be appointed to serve on those groups and panels for the municipal year 2018/19 as follows:
  2. that appointments be made to outside bodies as follows:

**Reason:** To appoint members to working groups and outside bodies.

**Area South Panels and Working Groups**

**Representation 2018/2019**

Area South Community Forum

Tony Lock

	Peter Gubbins
Yeovil Town Centre Enhancement Group	Mike Lock John Clark Tony Lock David Recardo Wes Read Sarah Lindsay Andy Kendall Peter Gubbins
Yeovil Youth Service Review Group	Cathy Bakewell Rob Stickland
Yeovil Market Improvement Group	David Recardo Cathy Bakewell Mike Lock Sarah Lindsay
Birchfield Group	Yeovil East and Yeovil Without Ward Members
<b>Outside Bodies</b>	<b>Representation 2018/2019</b>
Abbey Community Association	Alan Smith
John Nowes Exhibition Foundation	Peter Seib
South Somerset MIND	Andy Kendall
Wyndham Trust (Yeovil)	Peter Seib
Yeovil Crematorium and Cemetery Joint Committee	Graham Oakes Rob Stickland Vacancy
Yeovil in Bloom Gardeners Market Steering Group	Wes Read
Yeovil One	Tony Lock
Yeovil Sports Club Board of Management	Andy Kendall
Preston School Strategic Management Group	David Recardo Wes Read
Yeovil Vision Board	Peter Gubbins David Recardo One further Councillor, to be invited at the Chairman's discretion when required

*(Resolution passed without dissent)*

**13. Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman & Vice Chair (Executive Decision) (Agenda Item 9)**

**RESOLVED:** that, in line with the Development Control Revised Scheme of Delegation, Councillors Peter Seib as first substitute and Tony Lock as second substitute be nominated to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

**Reason:** To appoint members to act as substitutes for the Chairman and Vice Chairman for the planning scheme of delegation

*(Resolution passed without dissent)*

**14. Area South Forward Plan (Agenda Item 10)**

Councillor David Recardo reiterated his request to invite the new Chief Inspector of Yeovil Sharon Bennett and Tim Coombe from Avon and Somerset Police Authority to attend committee in the Autumn.

Councillor Peter Seib requested that the Yeovil Refresh work with the Economic Development Team to ensure delivery and aspirations of the Yeovil Refresh are met. Following a short discussion it was agreed that the Regeneration Programme Manager be invited to the Area Priorities Workshop in July.

**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)*

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

Members noted the Schedule of Planning Applications.

**16. Planning Application 18/00116/FUL - Land adjacent Hillview, Yeovil Marsh Road, Yeovil Without (Agenda Item 12)**

The Area Lead Planner presented the application as detailed in the agenda and with the aid of a powerpoint presentation showed the site and proposed plans. She noted the application has been two starred for reasons explained at the beginning of the report and also updated members that:

- Three additional letters of objection had been received reiterating objections already outlined in report and concerns regarding visibility access, internet speed, hedgerow removal and definition of a caravan.

The Area Lead Planner referred to the key considerations being the principle of the development, landscape impact, flooding, highways and amenity. She considered the site was within a sustainable location with well-defined boundaries and explained the Local Flood Authority had raised no objections to the proposal and was satisfied the imposition of a condition to impose an acceptable surface water drainage scheme.

She acknowledged the concern regarding the access of the site but noted the Highway Authority raised no objection and believed the proposal would not generate a significant increase in traffic movements at the site. She also considered that the proposed units were single storey and given the distance and proposed boundary treatments did not consider the proposal would have a significant impact on the neighbouring properties.

The Area Lead Planner therefore concluded that after considering all of the responses and issues, as outlined in the agenda report, her proposal was to approve the application and the conditions as set out in the agenda report.

In response to members' questions the Area Lead Planner and Senior Planning Adviser confirmed that:

- Under this proposal all hedgerows were to be maintained.
- As the Council cannot currently demonstrate a 5-year housing land supply it is considered that the current policies can only be given a modest amount of weight.
- Clarified that no response had been received from the Emergency Services regarding the emergency access at Orchard Close.
- Acknowledged the concerns of the local residents but believed there was a need to provide these types of homes which would predominately be occupied by the 50 plus age group of the community.
- Acknowledged members concerns regarding the emergency access at Orchard Close and that a revision could be made to Condition 8 to safeguard unauthorised access of the site. As part of this condition the Council would expect and seek a reply from the emergency services with their requirements.
- A condition has been included to ensure that no more than 14 units shall be placed on the land. Should the applicant wish to amend this figure a further application would need to be submitted for approval.
- Proposed units are double twinned and would be delivered in two halves. All 14 units have dedicated parking areas.

A representative from Yeovil Without Parish Council then addressed the committee. She noted that the village of Yeovil Marsh had limited community facilities, there to be no evidence of identified housing need and a lack of community engagement and local public consultation. She also referred to the importance of Policy SS2 of the Local Plan as grounds for refusal and that the committee should be minded to defer the application for further information and to hold a site visit. She also raised concern regarding the proposed emergency access and the need to control unauthorised access.

Three members of the public then spoke in objection to the proposed development. Their comments included:

- No evidence of identified housing need for the area.

- Considered the proposal not within a sustainable location with a considerable amount of affordable housing already in the village.
- Concerns regarding the surface water drainage which will exacerbate the current flooding issues in the area.
- Risk of highway safety due to the increase in traffic using the existing inadequate access onto what is a narrow village road.
- Emergency access is inappropriately designed and will impact negatively on existing residents.
- Lack of community facilities with no shop in the village and poor pedestrian access to services.
- Poor internet access in the village; new residents will place further demand on this service.
- Impact of overlooking and noise to neighbouring properties due to elevation of the site.
- Lack of employment opportunities.

The agent then addressed the committee. He believed the proposal would deliver a sustainable scheme with 14 high quality low cost housing units. It will help contribute to the housing supply and be geared to the 50 plus age group therefore benefitting others by freeing up larger family homes. He said Park homes were positively recognised by the local plan and the scheme acceptable with Local Plan Policy SS2. Public engagement showed support of the proposal with the applicant making amendments to the application to help mitigate any local concern. He noted all Statutory consultees had raised no objections and that the Lead Flood Authority were satisfied with the proposed surface water drainage scheme and the Highways Authority satisfied with the proposed visibility splay given the agreement of the removal of the neighbouring hedge.

Councillor Graham Oakes, Ward member believed Yeovil Without had already received a considerable amount of development and questioned the inconsistency of planning rules with regard to housing supply. He raised concern regarding the insufficient almost dangerous emergency access and proposed existing access to the site and the impact the proposal would have on the village road and its pedestrians given the lack of footpaths and street lighting. He voiced his disappointment at the refusal of his request for a site visit which he believed would highlight these concerns. He also believed the development was too big and would change the character of the village; it did not comply with the Local Plan as was not a rural sustainable location, would create no real employment and would exacerbate the current flooding issues in the area. He therefore could not support the application.

During members' discussion, varying comments were made including the following:

- Appreciate the highway safety issues and concerns raised, however can see no planning justification to refuse the application as the proposed access is deemed to be acceptable. However request the revision of condition 8 to ensure and safeguard unauthorised access of the site.
- Acknowledged the comments made by all statutory consultees and given no objections from the Lead Flood Authority or Highways Authority could not see any justification to refuse the application.
- Questioned the criteria of Policy SS2 of the Local Plan and what classifies as a rural sustainable location.
- Believed sometimes under pressure to approve development due to the failure of the Council being able to demonstrate a five year housing land supply.

- Appreciated the concerns and frustration of local people however on balance and given the proposal was for 14 units with sufficient parking believed the application to be acceptable.

During a short debate members' agreed that should the application be approved condition 8 be revised to safeguard any unauthorised use of the emergency access.

Following a further discussion it was then proposed and subsequently seconded that planning permission be approved as per the officers recommendation with the inclusion of the revised condition 8 to ensure prior approval of appropriate access for emergency vehicles and prevent unauthorised use of the emergency access.

On being put to the vote this was carried by 5 votes in favour, 3 against and 3 abstention.

#### **RESOLVED:**

That application **18/00116/FUL** be approved for the following reasons:

01. The Council cannot demonstrate a 5-year housing land supply. Yeovil Marsh is an appropriate location for this level of development and the site is suitable in terms of its services. By reason of its juxtaposition with existing built form and its scale the proposal represents an appropriate and logical rounding-off and the development would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area in accordance with the aims of objectives of the National Planning Policy Framework, and policies SS2, HG5, EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

#### **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:

Site Location Plan Dwg No.10332-0002-03

Site Layout & Landscaping Dwg No.10332-0001-07

Floor Plan & Elevations Dwg No.10332-0003-01

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

03. 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 site is first brought into use and thereafter maintained at all times.

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

04. The development hereby permitted shall not commence until a Construction Traffic 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 and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

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

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

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

06. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

07. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and 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 preserving the visual amenity of the site and surrounding landscape and in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).



08. Prior to the commencement of the development a scheme demonstrating the design and delivery of access to the site by emergency vehicles along with details of the surfacing of the track into the site and gating to prevent unauthorised access through the emergency access 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.

Reason: To ensure appropriate access for emergency vehicles and prevent unauthorised use of the emergency access in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

09. No more than 14 units shall be placed on the land and the units must be 'caravans' as defined in the Caravan Sites and Control of Development Act 1960 (as amended).

Reason: To ensure an appropriate level of development that respects the rural landscape in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

**Informatives:**

01. The applicant is advised that they will need to apply for a variation to the existing site licence to allow for the site expansion.
02. The applicant's attention is drawn to the conclusions of the Yeovil Marsh Park Preliminary Appraisal dated October 2017.
03. The applicant is requested to follow the advice of the Landscape Officer (8/2/2018) with regard to the proposed planting for the landscaping plan.

(voting: 5 in favour, 3 against, 3 abstentions)

**17. Planning Application 18/00866/FUL - Yeovil Crematorium, Bunford Lane, Yeovil (Agenda Item 13)**

The Area Lead Planner 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. She explained the application was referred to committee due to the nature of the proposals and SSDC being the applicant.

She updated members that a further letter of objection had been received emphasising concern regarding the number of proposed parking spaces and the requirement of habitat and tree surveys. They also questioned the compliance of the conditions of permission regarding the new service road and that the Council were currently looking into this to ensure proper compliance.

The Area Lead Planner also informed members that all mature trees and planting would be retained as part of the proposal with the exception of a limited number of small trees which were to be removed. She confirmed the SSDC Tree officer had raised no objection to this proposal and considered the proposal would have no severe impact on visual or residential amenity of the area and was positioned in an appropriate location.

She also recommended that a lighting condition be imposed to control the hours of lighting to comply with the opening hours of the Crematorium and that there was justification for additional parking with no additional traffic movements to and from the site.

The Area Lead Planner therefore concluded that for the reasons as previously outlined, her proposal was to approve the application and the conditions as set out in the agenda report.

Councillor Peter Seib, Ward member acknowledged the neighbouring residents concerns and mourners to the crematorium who value this large tranquil area of the site. However he believed the need for this overflow car park was extremely justified and would therefore support this application.

Following a short discussion, members sought clarification regarding the mitigation of lighting on the site and the safeguarding of unauthorised access to the overflow car park.

It was then 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 unanimously.

#### **RESOLVED:**

That application **18/00866/FUL** be approved for the following reasons:

01. The proposal will provide additional parking to meet current needs, is not considered to result in demonstrable harm to residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Accordingly, the proposal is considered to comply with policies SD1, SS1, TA5, EQ2, EQ4 and EQ5 of the Local Plan and is as such recommended for approval.

#### **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 1:1250; Drawing No.'s 1379-10 and AS/114-02

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

03. The car park hereby approved shall only be used when the crematorium grounds are open:

8.30am - 6.00pm between 1st April - 1st October; and

8.30am - 5pm at all other times.

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

04. Prior the first use of the car park hereby approved details of how the lighting shall be controlled (to include light sensors and timer to restrict lighting to crematorium opening times) shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the agreed details and there shall be no change to the details without the prior written consent of the Local Planning Authority

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

05. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

06. Prior to commencement of this development details of the proposals for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details.

Reason: To ensure that the development is appropriately drained.

07. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be prepared in-writing and submitted to the Council for approval. Upon approval in-writing by the Council, the scheme of tree protection measures shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

08. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of tree and shrub planting. Such a scheme shall confirm the use of planting stock of UK-provenance only, the planting locations, numbers of individual species, sizes at the time of planting, details of root-types or grafting and the approximate date of planting. The installation details regarding ground preparation, staking, tying, strimmer-guarding and mulching shall also be included in the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect 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 shall be replaced by the landowner in 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 in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

(voting: unanimous)

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Chairman

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Date