

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 6 November 2019.**

(2.00 - 3.10 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

John Clark	Wes Read
Nicola Clark	David Recardo
David Gubbins	Gina Seaton
Kaysar Hussain	Peter Seib
Andy Kendall	Alan Smith
Tony Lock	Jeny Snell
Graham Oakes	Andy Soughton



Officers:

Steve Barnes	Play and Youth Facilities Officer
Simon Fox	Lead Specialist - Development Management
Angela Cox	Specialist - Democratic Services

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

124. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on 4th September 2019 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

125. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Karl Gill, Mike Lock, Pauline Lock and Rob Stickland.

126. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

127. Public question time (Agenda Item 4)

There were no questions from members of the public present.

128. Chairman's announcements (Agenda Item 5)

The Chairman advised that he had agreed with the Leader of Council that officers give short presentations to the Committee on their service for the benefit of new Councillors. He said the Leisure and Recreation Manager and the Environment Services Manager would be invited to present shortly.

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

Councillor John Clark reported the successful completion of St Peter's Community Centre in Westfield, Yeovil.

130. Area South - Draft Area Chapter 2020/21 (Agenda Item 7)

The Locality Team Leader reminded Members that they had met in July to agree their Area Chapter priorities for the years 2020/21. He said the priorities would evolve and continue to be added to during the year.

During discussion it was noted that the recently adopted Environment Strategy would bring forward some priorities like electric vehicle charging points but they should be included as an Area Priority too. The inclusion of Solar Panels on new build houses and possibly above SSDC car parks should also be pursued. It was suggested that there was very little youth provision in the town centre and an empty shop could be used as a temporary youth facility. The Locality Team Leader advised that there were youth groups in the town but since the demise of the Somerset Youth Service there were none in the centre. The cost of setting up a temporary youth facility would be high if Members wished to pursue this. It was noted that the Town Council had funded some youth provision. The Chairman asked that suggested venues be forwarded to the Locality Team Leader to investigate the costs and feasibility of providing a youth facility. It was also suggested that deterring vehicles from the town centre would help to reduce carbon emissions.

At the conclusion of the debate, Members were content to confirm their agreed priorities for the Area subject to the suggested amendments to be presented to District Executive for consideration for inclusion in the Council Plan.

RESOLVED: That members agreed the priorities for the Area subject to the suggested amendments to be presented to District Executive for consideration for inclusion in the Council Plan.

131. Area South Forward Plan (Agenda Item 8)

The Chairman suggested that planning applications be advertised as commencing at 2.00pm in the future to prevent any breaks in the meeting. He said that he was prepared to be flexible and vary the order of the agenda depending upon public attendance.

It was noted that the consideration of planning applications had been moved to 4.00pm to allow those members of the public who were working to attend, however, the Chairman said that he would be flexible and trial a 2.00pm start.

During discussion, Members requested reports on:

- SCC Highways be invited to report on the recent road improvements in the town and the public feedback.
- the Innovation Centre uptake in the new extension & throughput of businesses at the centre.
- progress report on the new Yeovil Crematorium (March/April)
- IAero Project
- Update on the Octagon Theatre

132. Planning Appeals (For information) (Agenda Item 9)

Members noted the Planning Appeals.

133. Schedule of Planning Applications to be Determined by Committee (Agenda Item 10)

Members noted the Schedule of Planning Applications.

134. Planning Application 17/03673/OUT Land East of Holywell West Coker Road Yeovil (Agenda Item 11)**

Proposal: Residential dwellings with associated access, landscape and public open space

The Development Management Lead officer advised that since writing the report, a further letter of objection had been received querying whether the recent highway improvements in the area had been taken into account in the application. The Highway Authority had confirmed that they had no additional comments to make on the amended plans. He reminded Members that the site already had outline permission for housing but a small paddock area previously included was now omitted. The proposed housing density was still acceptable. The hedge around the paddock would be retained so the landscape impact was reduced, there were no material changes in planning circumstances and the proposal was not considered contrary to the East Coker Neighbourhood Plan, therefore the recommendation was to approve the application subject to a suitable Section 106 Agreement. A further Condition 19 was proposed to include electric vehicle charging points at all the houses.

In response to questions from Members, the Development Management Lead officer confirmed:-

- The provision of the Locally Equipped Area of Play (LEAP) and its siting and layout was dealt with in Condition 18.
- There had not been any recent traffic survey on Camp Road, Odcombe and the Highway Authority had looked at the application a number of times and raised no objections.

- The Local Plan had a policy on electric vehicle charging points but not on solar panels on new developments so it was not possible to require this in any conditions of approval however, the developer could be encouraged to consider this.
- There was only pedestrian and cycle access from the south of the site. Vehicle access would only be from the north of the site.
- There were a number of restricted bridleways in the area and they were not affected by the application.

The Committee were addressed by the Agent for the applicant in support of the application. He said the application was granted outline permission in 2018 and since then the owner had been unable to agree purchase terms with the owner of the adjacent paddock. The paddock was only ½ hectare and its removal meant there would be 18 dwellings per hectare rather than 16 as previously agreed. He said the layout was similar to that previously agreed, the vehicle access was the same and the central village green area was retained. There would be bungalows to the east of the site to reduce the impact on the residential amenity of the existing properties and the hedge around the paddock would be retained. He concluded that there were no objections from the technical statutory consultees and he asked that permission be granted.

One of the Ward Members, Councillor Gina Seaton, expressed her concern at the danger of increased traffic at the junction of the A30 and Camp Road which had been highlighted previously by a Planning Inspector.

The other Ward Member, Councillor Nicola Clark, noted the objections raised by the East Coker Parish Council. She said they had now completed their Neighbourhood Plan and they stated it was contrary to their plan. She was pleased to see electric vehicle charging points were to be installed and she welcomed the 35% affordable housing proposed.

During discussion, members felt the proposal was acceptable for 95 houses and were pleased to see the retention of the hedge around the paddock. It was proposed that a condition be added that no more than 95 houses be built and also an informative on the installation of solar panels be included.

At the conclusion of the debate, the officer's recommendation to grant permission with the following additional conditions and informative were proposed and seconded and on being put to the vote were passed by 11 votes in favour, 1 against and 1 abstention.

RESOLVED: That application reference 17/03673/OUT be APPROVED subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) The agreed contribution as set out in this report towards the provision of sport and play facilities (to the satisfaction of the Local Planning Authority).
 - 2) Ensure at least 35% of the dwellings are affordable with a tenure split of 80:20 in favour of social rented accommodation over other intermediate types (to the satisfaction of the Local Planning Authority) or an alternative tenure mix to be agreed with the Strategic Housing Manager

- 3) Education contributions as set out in this report
- 4) Highway works
- 5) Travel Plan and £60,000 towards cycling infrastructure within the vicinity
- 6) If elements of the highway work common to this scheme and Bunford Heights are carried out by the developers of Bunford Heights first then an increased/additional cycling infrastructure sum of £30,000 would be sought to invest in plans to extend cycle paths through Bunford Park to connect to another pending application at Bunford Hollow (17/003320/OUT)
- 7) The provision of landscaping and open space (inclusive of shelter belt) to include:
 - a) design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
 - b) maintenance period
 - c) commuted sums
 - d) transfer to SSDC or approved management company
- 8) Provision of a bus shelter at the proposed bus layby on West Coker Road (westbound), with a commuted sum for maintenance of the shelter

And:

- b) The Council cannot demonstrate a 5-year housing land supply. Yeovil is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting or functioning of the town. Despite being Grade I agricultural land the proposal, in outline, by reason of its location on the periphery of a sustainable settlement, its juxtaposition with existing built form and its scale represents an appropriate and logical rounding-off where a development could result that would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area subject to the approval of Reserved Matters and would not foster growth in the need to travel, in accordance with the aims of objectives of the National Planning Policy Framework, and policies SD1, SS1, SS4, SS5, SS6, HG3, HG5, EQ1, EQ2, EQ3, EQ4, TA3, TA4, TA5, TA6 and HW1 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 4000-BB-SP-00-DR-A-002 (Location Plan) and 11 Rev D (proposed Access Option 1C).

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

03. At least 10% of the dwellings hereby approved shall be bungalows (single storey) and they shall be located along the eastern boundary of the site (as shown on Drawing No. 4000-BB-SP-00-DR-A-001 'Annotated Indicative Layout').

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

04. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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

05. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. Plans showing parking area(s) providing for an appropriate number of spaces in line with the Somerset County Council Parking Strategy vehicles shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. These areas shall be properly consolidated before the building(s) are first occupied 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

07. 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 residential amenity and highway safety and in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan (2006-2028).

08. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soak ways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

09. No development shall take place until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the access arrangement (as shown generally in accordance with drawing number 11 Revision D) and its means of construction and surface water drainage. No dwelling hereby approved shall be occupied until the approved access road junction has been constructed and completed to the written satisfaction of the Local Planning Authority in conjunction with the Highway Authority.

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

10. Before the commencement of development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Local Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure proper recording of any archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

11. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with the Written Scheme of Investigation approved under the Programme of Works condition and the financial provision made for analysis, dissemination of results and archive deposition secured.

Reason: To ensure proper recording of any archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

12. Prior to the commencement of development, details of measures for the enhancement of biodiversity (e.g. bat and bird boxes, native tree planting) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be

implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

13. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a revised and detailed scheme of tree and hedgerow protection measures (specifically to include details for the protection of the Oak referred to as T28 and the trees located upon the Highways verge adjoining the A30 to the North of the site entrance) shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Upon approval in writing from the Council, the tree and hedgerow protection measures shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and the Council's Tree Officer (Mr Phillip Poulton - 01935 462670) shall then be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by the Council's Tree Officer and confirmed in-writing by the Council to be satisfactory prior to any 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 (inclusive of hard and soft landscaping operations) and the protective fencing and 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 and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

14. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a revised scheme of tree and shrub planting, including the details of every tree, shrub and hedge to be planted, including its proposed location, its species, its size at the time of planting, whether it is container grown, cell-grown, root-balled or bare-rooted and the approximate time when it is to be planted. The installation details regarding staking, tying, strimmer guarding and mulching are also to be included. If, within a period of ten years from the issue date of this planning consent, any of the trees or shrubs planted in accordance with this condition, or any trees or shrubs planted as a replacement for any of those trees or shrubs, is cut down, felled, uprooted, removed or destroyed, or dies or becomes, in the opinion of the Council, damaged or defective,
 - a) the Council shall be notified by the landowner as soon as is reasonably practicable, and
 - b) another tree or shrub of the same specification shall be planted at the same location, at a time agreed in writing by the council, unless the Council agrees in writing to dispense with or vary the requirement.

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.

15. 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.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Revised soil infiltration rates. The infiltration test must be undertaken fully in accordance with BRE365, including three fills in each trial pit to provide accurate soil infiltration rates;
- Revised attenuation storage calculations that consider the revised soil infiltration rates.
- Detailed drawings that demonstrate the inclusion of SuDs, where appropriate, and location and size of key drainage features;
- Drainage calculations that demonstrate there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event plus 40% increase for climate change;
- Assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
- Description and drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of drainage system;
- Confirmation of the proposed methods of treating surface water runoff to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas;
- Confirmation of agreement in principle of proposed adoption and maintenance arrangements for the surface water drainage system;
- Confirmation from Wessex Water that diversion of the existing water main is acceptable;
- Confirmation from Wessex Water that the proposed building over the existing foul water sewer that crosses the northern part of the site is acceptable.
- Demonstration that appropriate access is available to maintain drainage features
- If the results of infiltration testing indicate that infiltration will not provide a feasible means of managing surface water runoff, an alternative drainage strategy must be submitted to the Council for review and approval. Best practice SUDS techniques should be considered and we promote the use of combined attenuation and infiltration features that maximise infiltration during smaller rainfall events.

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).

16. No construction traffic associated with the development shall use Kingspring Lane.

Reason: In the interests of highway safety and Policy TA5 of the South Somerset Local Plan 2006-2028.

17. Prior to its installation, details of the public street lighting and lighting for the private communal areas 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: In the interests of residential amenity and the rural landscape in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

18. The application for Reserved Matters shall detail the siting and layout of the Locally Equipped Area of Play (LEAP).

Reason: To ensure appropriate provision in accordance with Policy HW1 of the South Somerset Local Plan 2006-2028.

19. No dwelling shall be occupied until an electric vehicle charging point (EVCP) rated at a minimum of 16 amps has been provided for within its associated garage or parking space. Thereafter the EVCP shall be maintained and retained.

Reason: To ensure provision of an EVCP for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

20. The development shall be developed for no more than 95 dwellinghouses (including flats).

Reason: For clarity as to what has been approved.

Informatives:

01. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

02. The applicant's attention is drawn to the comments of the Rights of Way Officer (SCC) dated 13 October 2017. Also, advise that development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

03. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community

Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice. You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

04. Badgers sometimes use the site and may create 'outlier setts' (temporary setts) at any time, in areas that would be affected by development works, and require closure under licence from Natural England (normally restricted to July to November inclusive). Update surveys for badgers are recommended prior to commencing development, and particularly prior to major groundworks, in order to minimise the risk of damaging setts in contravention to the Protection of Badgers Act 1992, and introducing delays to the development.
05. Reptiles (particularly slow worms), likely to be present in neighbouring gardens, will move onto the site if conditions become suitable and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures in this case are likely to include appropriate management of the vegetation to discourage reptiles away from areas of risk, and fencing to prevent reptiles from entering the site. An ecological consultant should be commissioned to provide site specific advice.
06. Giant Hogweed is an injurious plant to humans (causes severe skin blistering). Ecological surveillance should be employed to check for possible re-establishment from seed, and to apply further appropriate elimination measures.
07. The applicant is advised that the proposed street lighting for the estate should be designed in accordance with the Dark Skies advice from the CPRE.
08. The applicant consider the installation of solar panels on the properties.

(voting: 11 in favour, 1 against, 1 abstention)

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Chairman

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Date