

South Somerset District Council

Draft Minutes of a special meeting of the **Area East Committee** held at the **Council Chamber, Council Offices, Brympton Way, Yeovil. on Tuesday 29 October 2019.**

(2.30 pm - 4.00 pm)

Present:

Members: Councillor Henry Hobhouse (Chairman)

Robin Bastable
Nick Colbert
Sarah Dyke
Charlie Hull
Mike Lewis

Paul Rowsell
Lucy Trimnell
William Wallace
Colin Winder



Officers:

Simon Fox	Lead Specialist - Development Management
Marc Dorfman	Senior Planning Adviser
Sarah Hickey	Senior Planning Lawyer
Vicki Dawson	Lead Specialist (Environmental Health)
Paul Huntington	Specialist (Compliance & Enforcement)
Helen Vittery	SCC Highways
Dr Tim Brookes	Public Health England
Jo Boucher	Case Officer (Strategy & Commissioning)
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.

82. Apologies for absence (Agenda Item 1)

Apologies for absence were received from Councillors Hayward Burt, Tony Capozzoli and Kevin Messenger.

83. Declarations of Interest (Agenda Item 2)

Councillors Mike Lewis and William Wallace asked that it be noted they were also members of Somerset County Council.

84. Public Question Time (Agenda Item 3)

The Committee were addressed by a local resident regarding Agenda item 5: Planning Applications 14/02554/OUT and 15/03942/FUL - Land at Upper Mudford, Primrose Lane, Yeovil. He said that his evidence of a higher development value per square metre was based upon evidence from over 100 house sales on the Wyndham Park estate during 2017 and 2018 and was not a future forecast. The District Valuer's appraisal in 2019 did

not evidence how their value was arrived at and too little was being asked of the developer towards affordable housing. He said there was also an absence of trigger points in the development for the delivery of infrastructure and he referred to light pollution from the development and possible issues with mortgage lenders if anthrax became a known issue.

85. Chairman Announcements (Agenda Item 4)

There were no announcements from the Chairman.

86. Planning Applications 14/02554/OUT and 15/03942/FUL - Land at Upper Mudford, Primrose Lane, Yeovil, Somerset. (Agenda Item 5)

14/02554/OUT: Outline planning application for up to 765 dwellings (C3); 65 bed Care Home; 2.02ha of employment land (B1); Community Building; Neighbourhood Centre comprising up to 1000m² retail, (A1, A2, A3, A5) and a Health Centre (D1); new means of access to A359 and to Lyde Road; Master Plan layout, (roads; landscaping; drainage) and associated off site works.

15/03942/FUL: Engineering works to create two attenuation basins and a landscape buffer to support application 14/02554/OUT

Members noted the presentation made by the Senior Planning Advisor during the Area South Committee meeting, which they had all attended. The presentation included the introduction of officers from Development Management, Environmental Health, Legal Services, SCC Highway Authority and Public Health England. The Senior Planning Advisor emphasised that there were two planning applications to be determined with two officer recommendations. He explained the site in detail, covering:-

- The site visit made by Members the previous week.
- The site was allocated for development in the Local Plan.
- The landscape buffers, open space and viewing corridors proposed throughout the site, including the retention of hedgerows and trees.
- The strong walking and cycling links from the site.
- Tests at the site for anthrax contamination which had all been negative.
- Historic England had expressed concern about the view from Grade 1 listed buildings in Trent but dense planting and mature trees would mask this.
- There would be some landscape impact at the ridge of the hill but this was not considered significant.

He said that since writing his report, further letters of objection from residents in Primrose Lane, Mudford, Mudford PC and local MP's and one in support had been received and all had been replied to.

Dr T Brookes of Public Health England outlined the possible means of contracting anthrax, the testing that had been conducted at the site which had proved negative and his conclusion that the risk of contamination was extremely low.

Councillor Charlie Hull, Ward Member for Northstone, Ivelchester and St Michael's expressed his concern about the infrastructure needed to deliver the development and

the difficulty in attracting professional and skilled personnel like school teachers and health care workers to the area. He also referred to the recently adopted Environment Strategy which he did not feel the proposed development was in accord with.

Councillor Paul Rowsell, Ward Member for Northstone, Ivelchester and St Michael's said he was impressed by the information put forward by the residents and Parish Council of Mudford. However, he felt the proposed development would blend into the town of Yeovil although he regretted its proximity to the village of Mudford.

In response to questions from Members, the Senior Planning Advisor and the professional expert officers advised:-

- Community Infrastructure Levy (CIL) would not be charged on the urban extensions, however, other community benefits like the health centre and school would be provided as part of the development.
- The £4.8m for affordable homes was the cost to the developer and was a mix of land value and loss of profit on the sale of the homes.
- There would be no significant road works on the A359 during the planned dualling of the A303 to minimise traffic disruption.
- The positioning of the affordable housing would be proposed at the Reserved Matters planning application but it was expected they would be spread across the site.
- There had been good anecdotal evidence of cattle burials at the site but less quality evidence of the spreading of tannery waste during the war. It was not reasonable to test the whole site for anthrax but the identified hot spots would be tested and if anything was found then mitigation measures would be put in place.
- If there was good evidence of tannery waste at the site then testing would take place. Housing developments had occurred on tannery sites before and prospective owners had not found issues obtaining a mortgage.

During discussion, Members made the following points:-

- The attenuation ponds were sited too close to a childrens play area.
- The development breached the skyline and brought Yeovil into view.
- If it was only 40 years since the last cattle burial then the site should not be developed for many more years.
- The development was at odds with the recently adopted Environment Strategy.
- The site was not appropriate for the proposed number of houses and would impact on the rural nature of the area.
- The proposed 40% open space and nature reserve were welcomed but concern that the attenuation ponds may not be properly maintained.
- 15% affordable housing was not sufficient.

It was proposed and seconded that a recommendation to refuse both applications be proposed to the Regulation Committee. Members suggested several reasons for refusing the applications, including the visual impact, flood risk to Mudford village, contrary to the Council's Environment Strategy, possible land contamination and lack of sustainable transport.

The meeting was adjourned for 10 minutes at 3.40pm to discuss the wording of the proposed reasons for refusing the application and reconvened at 3.58pm.

The following reasons for refusing permission were proposed:-

- a) Sustainability: The proposal fails to suitably address concerns relating to Climate Change by not demonstrating how mitigation and adaptation will be delivered, contrary to Local Plan policy EQ1 and the SSDC Environment Strategy. In addition there is no evidence that the development will be developed to the “highest sustainability objectives” as required by Local Plan policy YV2.
- b) Sustainable Transport: The proposal fails to deliver at least 30% of travel originating from the Yeovil North Eastern Sustainable Urban Extension site, by “non – car” modes, contrary to Local Plan policy YV5.
- c) Flooding: The proposal lies to the south of Mudford village, a village on lower ground and known to flood. The proposal has failed to satisfy concerns that the flood risk is not to be increased in Mudford village and there is a lack of agreeable detail regarding management and maintenance of attenuation features, contrary to NPPF.
- d) Ground Contamination: Given the location of the site, the nature and form of the development may not mitigate the ground contamination, (possible anthrax), for which the site has been tested, and therefore could pose an unacceptable risk to public health and safety, contrary to policy EQ7 Pollution Control in the Local Plan.
- e) Landscape and Visual Amenity Impact: The location and form of development presents a substantial development on the site’s slope contrary to paragraph 6.32 of the Local Plan. The development will be detrimental to views of the site from the north by removing the rural landscape and the contained urban edge of the Yeovil settlement.

The proposal to refuse planning permission for both planning applications 14/02554/OUT and 15/03942/FUL was put to the vote and carried by 7 votes in favour, 3 against and 0 abstentions.

RESOLVED: That Planning Applications 14/02554/OUT and 15/03942/FUL be referred to the Regulation Committee with a recommendation to REFUSE permission for the following reasons:

- a) Sustainability: The proposal fails to suitably address concerns relating to Climate Change by not demonstrating how mitigation and adaptation will be delivered, contrary to Local Plan policy EQ1 and the SSDC Environment Strategy. In addition there is no evidence that the development will be developed to the “highest sustainability objectives” as required by Local Plan policy YV2.
- b) Sustainable Transport: The proposal fails to deliver at least 30% of travel originating from the Yeovil North Eastern Sustainable Urban Extension site, by “non – car” modes, contrary to Local Plan policy YV5.
- c) Flooding: The proposal lies to the south of Mudford village, a village on lower ground and known to flood. The proposal has failed to satisfy concerns that the flood risk is not to be increased in Mudford village and there is a lack of agreeable detail regarding management and maintenance of attenuation features, contrary to NPPF.
- d) Ground Contamination: Given the location of the site, the nature and form of the development may not mitigate the ground contamination, (possible anthrax), for which the site has been tested, and therefore could pose an unacceptable risk to public health and safety, contrary to policy EQ7 Pollution Control in the Local Plan.
- e) Landscape and Visual Amenity Impact: The location and form of development presents a substantial development on the site’s slope contrary to paragraph 6.32 of the Local Plan. The development will be detrimental to views of the site from the north by removing the rural landscape and the contained urban edge of the Yeovil settlement.

(Voting: 7 in favour, 3 against, 0 abstentions)

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Chairman