

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 22 August 2023 at 5.30 pm.

**Present:**

Cllr Peter Seib (Chair)  
Cllr Jason Baker (Vice-Chair)

Cllr Steve Ashton	Cllr Mike Best
Cllr Henry Hobhouse	Cllr Jenny Kenton
Cllr Tim Kerley	Cllr Evie Potts-Jones
Cllr Jeny Snell	Cllr Martin Wale

**In attendance:**

Cllr Tony Lock	Cllr Andy Soughton
Cllr Dean Ruddle	

**Other Members present remotely:**

Cllr Simon Coles	Cllr Emily Pearlstone
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**24 Apologies for Absence** - Agenda Item 1

Apologies were received from Councillors Andy Kendall, Sue Osborne and Oliver Patrick. There were no substitute Councillors in attendance.

**25 Minutes from the Previous Meeting** - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on 25<sup>th</sup> July 2023 be confirmed as a correct record.

**26 Declarations of Interest** - Agenda Item 3

Somerset Councillors who are members of Planning Committee South who are also

City, Town and/or Parish Councillors – noted for items on this agenda:

Tim Kerley – Somerton Town Council

There were no other declarations of interest.

**27 Public Question Time - Agenda Item 4**

There were no questions from members of the public.

**28 Planning Application 23/00850/DPO - Land OS 4575, Cartway Lane, Somerton. - Agenda Item 5**

The Planning officer introduced the application to the committee with the assistance of a powerpoint presentation. He explained the application was to vary a Section 106 agreement to remove the requirement to provide lighting to the link footpath. He also provided the following updates:

- Clarified the confusion in terms of the third-party representations as set out in the report.
- Updated representations to reflect the comments of which the majority were regarding concerns for wildlife, particularly bats and light pollution.

He referred to the key considerations and detailed the benefits of both installing and not installing the lighting. The recommendation was to agree to variation of the Section 106 Agreement in relation to the changes as requested to vary paragraph 1 of Part 2 of the S106 agreement dated 22 March 2017.

A representative from Somerton Town Council addressed the committee. Some of her comments included:

- The installation of lighting would allow for the safe inclusive and convenient access to local facilities that addresses the needs of all.
- Acknowledge the concerns regarding bats but that suitable low lighting should be installed.
- Once the footpath is fully surfaced it will be far more accessible and safer for pedestrians.

Division member Councillor Dean Ruddle addressed the committee. He felt strongly that some form of lighting was essential on the bridleway as this was the only safe access from the site to the nearby town centre and local facilities.

The Applicant then addressed the committee. Some of his comments included:

- Development was well through construction stage with two thirds occupied.

- Local residents were not in support of any lighting columns.
- Illumination of the area would have an impact on the ecology and in response to the Ecologist and latest legislation there was the need to protect bats and safeguard wildlife in the area.

The Planning Officer responded on a visual representation made by Somerton Town Council of the bridleway and stated that in his opinion there was sufficient room to locate lighting columns should this be required.

Following a question from a member on whether consultation had been sought from the Police Crime Prevention Officer the meeting was adjourned for a few minutes so that the Planning Officer could clarify this information.

On reconvening the meeting, the Planning Officer confirmed that the Crime Prevention Officer had been consulted but that no response had been received.

The Planning Officer then responded on the points raised by the public speakers and on points of detail and technical questions raised by members including:

- Clarified that members simply needed to agree whether there was a requirement for the lighting or not and not on the specific detail.
- Confirmed an Ecology survey had been carried out for the whole site and not just the bridleway and highlighted the conclusions made within the survey.
- Confirmed that at reserve matters stage there was a discharge of a condition associated with this development and that the lighting design met the bat friendly requirement. The Highways Authority and Council's Ecologist had also agreed a suitable design could be implemented.
- Agreed that the application was compliant with current Local Plan policies that seek to secure safe, accessible non car pedestrian routes, particularly to town centres, that addresses the needs for all.
- Referring to the plan clarified the location of the proposed lighting along the link footpath.

During discussion member made several comments including the following:

- Felt that suitable lighting was much needed along this link footpath, as the alternative route along Cartwell Lane was a very busy road and therefore need to ensure a safe accessible pedestrian route out of the estate.
- The lighting was an integral part of the development and infrastructure that was promised and would look to future proof this area and ensure safe non car accessibility for all.
- Did not believe the lighting would have a significant impact on the dark skies of the area as it was already quite an urban area with an industrial estate close by.

- Should this requirement be removed felt that Somerton Town Council may have to fit the bill for this lighting in the future.
- Appreciated the need to consider the climate change emergency but that providing a safe 24/7 non car 'access route with suitable low lighting was acceptable and essential for pedestrian in this case.

Following a short discussion, it was proposed by Councillor Tim Kerley and seconded by Councillor Peter Seib to refuse the changes requested to vary Part 2 of the Section 106 Agreement dated 22nd March 2017, contrary to the officer recommendation for the following reasons:

- Perception of personal safety
- Inclusive off road accessibility to the town centre

Members were content to delegate the exact wording of the reason for refusal to officers.

On being put to the vote this was carried by 8 votes in favour, 0 against and 2 abstentions.

**RESOLVED:**

To refuse the changes requested to vary Part 2 of the Section 106 Agreement dated 22nd March 2017 for the following reasons:

- Perception of personal safety
- Inclusive off road accessibility to the town centre

That delegated authority be granted to officers to agree the exact wording of the reasons for refusal.

(Voting: 8 in favour of refusal, 0 against, 2 abstentions)

**(The meeting ended at 6.45 pm)**

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**CHAIR**