

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 28 November 2023 at 2.00 pm

Present:

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

Cllr Steve Ashton
Cllr Henry Hobhouse
Cllr Sue Osborne
Cllr Evie Potts-Jones

Cllr Mike Best
Cllr Tim Kerley
Cllr Oliver Patrick
Cllr Richard Wilkins

In attendance:

Cllr Tony Lock
Cllr Andy Soughton

Cllr Jo Roundell Greene

Other Members present remotely:

Cllr Simon Coles
Cllr Liz Leyshon

Cllr Andy Kendall

44 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Jeny Kenton, Jeny Snell and Martin Wale.

It was noted that Councillor Richard Wilkins was attending as substitute for Councillor Jeny Snell.

45 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on Tuesday 14th November 2023 be confirmed as a correct record.

46 Declarations of Interest - Agenda Item 3

Councillor Andy Kendall declared a personal interest in Item 6 - Planning Application 23/00606/FUL and Item 7 - Planning Application 23/00861/ADV as he had previously supported the Yeovil Refresh program.

Councillor Steve Ashton declared a personal interest in Item 5 Planning application 23/00606/FUL as he had previously been employed by the applicant SSW Developments Ltd. He confirmed he no longer worked for the company and had no interest in this application.

47 Public Question Time - Agenda Item 4

There were no questions from members of the public.

48 Planning Application 23/00606/FUL - Land at Merryfield Lane, Ilton, Ilminster TA19 9HA - Agenda Item 5

The Planning officer introduced the application to the Committee and together with the aid of a power point presentation, he provided the following comments including:

- No heritage assets were positioned within the site.
- Highlighted the location of the public right of way through the site.
- Explained the connection to the grid.
- Confirmed that no hedgerows or trees are to be cut back with a new hedgerow and landscaping scheme proposed.
- Highlighted the temporary compound and access during the construction phase.
- Confirmed the measurements of the solar panels and associated units on the site.
- Showed proposed fencing and cameras around the site.

He also advised that should members be minded to approve permission, additional conditions be included that requires a noise mitigation plan be approved prior to use to ensure that there is no undue disturbance to neighbouring properties, and that a condition survey of Merryfield Lane be undertaken prior to construction and any damage made good.

He referred to the key issue being the visual impact on the character of the landscape versus the provision of renewable energy and detailed the reasons for recommending approval.

Councillor Jo Roundell-Greene Divisional member addressed the committee. She raised concern regarding the public safety during the construction phase on the very narrow Merryfield Lane. She asked that a condition be included to ensure public safety during this phase.

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

- This proposal would be an efficient scheme with minimal adverse impact.
- Confirmed that a road condition survey would be carried out prior to commencement of development.
- Proposed equipment is acoustically insulated.
- Stringent construction and environmental management plan is proposed.
- Future access to the site will be improved.
- Will provide a Biodiversity net gain.
- Scheme will fit with Council's climate emergency and provide sufficient carbon free electricity for over 700 homes.

The Planning Officer responded on points of detail and technical questions from members including:

- Reiterated that should members be minded to approve the application, a condition be imposed to ensure that a road condition survey be carried out which will allow the ability to control the safety of public users.
- Confirmed that the agricultural land was Grade 3 but unsure of the exact class, however this scheme would allow for the continuation of agricultural use and designed to allow the grazing of sheep. He also confirmed this was a temporary permission for a period of 41 years (including 1 year construction) and then the land would revert back to its original use.
- Believed the noise levels to be very low but that a condition be imposed to ensure a noise mitigation plan is in place.

During discussion members raised comments including:

- Raised concern regarding the public safety of the users of Merryfield Lane and the poor condition of the lane. They agreed that a condition should be included to ensure a road condition survey is carried out.
- Raised concern regarding the noise disturbance of the site and the need to ensure the transformer buildings are properly soundproofed.
- Need to ensure the requirement of construction and environment plan.
- Voiced their frustration regarding the clarity around the precise grading of the agricultural land.

Following a discussion, it was then proposed by Councillor Richard Wilkins and

seconded by Councillor Henry Hobhouse to approve the application as per the officer's recommendation, with additional conditions to include:

1. Road condition survey
2. Noise mitigation plan for 2 x switching units.

On being put to the vote the proposal was carried unanimously.

RESOLVED:

That planning application 23/00606/FUL for the Installation of groundmounted photovoltaic modules together with sub stations to create a small solar farm generating carbon-free electricity at land At Merryfield Lane, Ilton, Ilminster, Somerset TA19 9HA be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report and with additional conditions to include:

1. Road condition survey
2. Noise mitigation plan for 2 x switching units.

(voting: unanimous)

49 Planning Application 23/00860/R3C - Land at The Triangle, Middle Street, Yeovil BA20 1LQ - Agenda Item 6

The Planning officer introduced the application to the Committee together with Planning Application 23/00860/R3C. He provided the following updates to the conditions:

- Condition 4 appended to Application 23/00861/ADV and Condition 5 appended to Application 23/00860/R3C - The hours of operation should read Monday - Sunday 'inclusive' not 'including' and that
- Condition 3 appended to Application 23/00860/R3C should include that the operation management plan be implanted in accordance with those details.

He explained the reason why both applications had been brought to committee as the applicant is Somerset Council and with the aid of a powerpoint presentation highlighted the following:

- Site and location plan.
- Confirmed the site was located outside the town's conservation area.
- Proposed elevations of the screen.
- Explained the use and purpose of the application.

He highlighted the key considerations for application 23/00606/FUL and comments

in summarised form were:

- Principle – Considered to be compatible with the town centre and wider range of initiatives.
- Scale, design, and visual impact – Located against a building not within a conservation area or nearby heritage assets.
- Impact on residential amenity/neighbouring uses – Conditions to ensure safeguarding hours and crime prevention as agreed with by the Police and Licensing.
- Access and highway safety – Located within an area with other shop fronts and not considered a main concern regarding any highway safety. A Traffic Regulation Order (TRO) would be required to restrict access.
- Ecology and Impact on the Somerset Levels and Moors Ramsar/SPA – No notable Ecology or Ramsar implications.

He proceeded to explain the reasons for approval along with the conditions listed within the report including the requirement for a Traffic Regulation Order.

He also highlighted the key considerations for application 23/00861/ADV being the impact on amenity and character of the area and on public safety and reasons for approval along with the conditions listed within the report.

The applicant addressed the committee. Some of his comments included:

- This was a key element of the proposed public square at The Triangle.
- Had considered the lighting, noise and that suitable conditions and acknowledged conditions to be imposed.
- Confirmed that an application for a premises license to run in parallel with the operating plan.
- Acknowledge concerns regarding antisocial behaviour and were working with the police to safeguard crime prevention.
- Would look to install the screen in the spring of 2024.
- Expectation to work in future with other partners regarding the operating plans.
- Explained the primary use of the screen would be intended for entertainment with commercial advertisement secondary.

The Planning officer responded on points of detail and technical questions from members including:

- Members should look at the key considerations of this application and not whether there is a need.
- Screen is capable of broadcasting events.
- Explained the reason a condition is imposed for the operating hours.
- Explained conditions imposed to ensure what can and cannot be displayed

and detailed an operation management plan.

The Legal officer also confirmed that a Public Space Protection Order (PSPO) is currently in place which allows fixed penalty notices to be issued. She felt this could help with crime and anti-social behaviour within the area but that this would need to be looked at when the premises licence is considered.

During members discussion comments were made including:

- The proposal would be positive for the town centre and help bring both people and businesses to the town.
- Felt the PSPO be looked at alongside the premises application to ensure there is no opposition or conflict with each.
- Felt there was not the need to impose conditions regarding the operating hours as believe these safeguards already exist in practice.

Following a further debate and advice from the Planning and Legal officers, it was proposed by Councillor Peter Seib and seconded by Councillor Oliver Patrick that application 23/00860/R3C be amended to remove condition 5 for the reason that this condition does not meet the test for the use of planning conditions. On being put to the vote this was carried unanimously.

It was then proposed that planning application 23/00860/R3C be approved as amended and subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

That planning application 23/00860/R3C for Proposed Large LED Screen at Land at the Triangle, Middle Street, Yeovil BA20 1LQ be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report but with the removal of condition 5 for the reason that this condition does not meet the test for the use of planning conditions.

(voting: unanimous)

50 Planning Application 23/00861/ADV - Land at The Triangle, Middle Street, Yeovil BA20 1LQ - Agenda Item 7

It was proposed by Councillor Peter Seib and seconded by Councillor Oliver Patrick that application 23/00861/ADV be amended to remove conditions 4 and 5 for the reason that these conditions do not meet the test for the use of planning conditions.

On being put to the vote this was carried unanimously.

It was then proposed that planning application 23/00861/ADV be approved as amended and subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

That planning application 23/00861/ADV for Proposed Large LED Screen at Land at the Triangle, Middle Street, Yeovil BA20 1LQ be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report but with the removal of conditions 4 and 5 for the reason that these conditions do not meet the test for the use of planning conditions.

(voting: unanimous)

51 Appeal Decisions (for information) - Agenda Item 8

Members noted the planning appeals.

(The meeting ended at 3.30 pm)

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CHAIR