

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 9 January 2024 at 2.00 pm

**Present:**

Cllr Peter Seib (Chair)

Cllr Steve Ashton

Cllr Andy Kendall

Cllr Sue Osborne

Cllr Evie Potts-Jones

Cllr Mike Best

Cllr Tim Kerley

Cllr Oliver Patrick

Cllr Martin Wale

**In attendance:**

Cllr Adam Dance

Cllr Andy Soughton

Cllr Tony Lock

**Other Members present remotely:**

Cllr Jason Baker

Prior to the start of the meeting the Chair asked everyone present to stand and observe a minute of silence in memory of Councillor Dean Ruddle, Division Member (Somerton) who sadly had recently passed away.

**60 Apologies for Absence - Agenda Item 1**

Apologies were received from Councillors Henry Hobhouse and Jenny Kenton.

It was noted that Councillor Jason Baker was in attendance online via Teams.

At the start of the meeting the Chair proposed that Councillor Oliver Patrick be Vice-Chair for the duration of the meeting. This was unanimously agreed by the committee.

## **61 Minutes from the Previous Meeting** - Agenda Item 2

Members noted that the minutes of the meeting held on 19<sup>th</sup> December 2023 would be agreed and signed off at the meeting scheduled for 30<sup>th</sup> January 2024.

## **62 Declarations of Interest** - Agenda Item 3

Having taken legal advice prior to the meeting Councillor Sue Osborne declared an Other Registrable Interest in Item 5 Planning Application 16/05500/OUT as she is a member of Ilminster Town Council and also a member of the Town Councils Open Space Committee. For transparency she would address the committee as the Division Member for Ilminster and then leave the room for the debate and vote.

At the time Item 7 on the agenda was presented, on recognising the property Councillor Martin Wale declared a Non-Registrable interest in Item 7 Planning Application 23/01939/FUL as he was friends with the husband of the applicant. He left the room for the debate and vote.

## **63 Public Question Time** - Agenda Item 4

There were no questions from members of the public.

## **64 Planning Application 16/05500/OUT - Land South West of Canal Way, Ilminster, Somerset** - Agenda Item 5

The Planning Officer presented the application as detailed in the agenda report along with the background and history of the application. With the aid of a Powerpoint presentation highlighted key elements of the proposal including:

- An indicative masterplan showing proposed pedestrian and cycleway access points and zebra crossings throughout the site.
- Land use parameter plan.
- Scale and height plan.
- Proposed facilities within the scheme.
- Photos of recent flooding within the site. She acknowledged part of the site floods; however, this had been taken into account with the submitted drainage proposals and therefore deemed acceptable.
- Details of the proposed access to which Highways had not raised an objection.
- The key considerations:

- Somerset Council is joint applicant with Persimmon Homes SW
- Original application had been recommended for approval in November 2017 subject to a Section 106 legal agreement but the decision was delayed due to phosphates and has since undergone a comprehensive review.
- The phosphates mitigation solution includes the temporary fallowing of 110 ha of land in the ownerships of Somerset Council. It is anticipated within 5 years a long term solution, potentially the provision of a wetland or purchase of nutrient credits, will come forward, if not the land will be planted with woodland.
- The original proposed primary school was no longer required due to the re-structuring of the school system in Ilminster as there is now capacity in existing schools subject to S106 contributions.
- Proposed on site football pitch has now been removed due to landscape harm of Herne Hill and objection from Sport England. Contributions are being sought for off-site facilities in Ilminster.

The application was recommended for approval subject to planning obligations and conditions as set out in the agenda report.

Four members of the public addressed the committee in objection to the application. Some of their points included:

- Raised concerns regarding the proposed phosphates solution and the fallowing of land and questioned the timescales involved. Felt land was a community asset and that the local community should be involved. Why wait until 2030 to plant trees?
- Felt the existing well used cycleway running alongside the site should be included into the scheme with responsibility to the developer to upgrade and maintain it.
- Concerns raised regarding only one access to and from the site with medical centre nearby.
- Emergency access still inadequate for emergency services.
- Insufficient parking provision and concerns for pedestrian safety with inadequate cycle and pedestrian access to green spaces.
- Resources and facilities in the area are over-stretched.
- Concerns regarding flooding on the site and potential for increased flooding risk, inadequate proposed drainage solutions.
- Phosphates mitigation solutions not adequately addressed.
- Lack of employment opportunities.
- Roundabout and local road network cannot support the increase in traffic.

A spokesperson for Ilminster Parish Council then addressed the committee and

some of his points included:

- Would increase the local population by 20%.
- Point of access is a key issue, Canal Way already very busy.
- Concerns regarding flooding and the proposed mitigation solutions.
- No provision for additional sports facilities.
- Doctors' surgery and schools already under strain.

A spokesperson for the neighbouring Parish Council of Donyatt also addressed the committee, some of his comments included:

- Development on the doorstep of Donyatt with no planned buffer zone proposed.
- Will be an overspill into our community.
- Extra pressure on the nearby nature reserve.
- Appalled that the popular local cycleway route is not planned to be upgraded. This popular bridleway which is already deteriorating fast and should be upgraded as a condition within this application.

Councillor Sue Osborne, Division member addressed the committee. Some of her comments included:

- Flooding – Concern regarding the potential flooding risk on the local area with inadequate proposed mitigation solutions. No amount of reassurance will convince it will work and cannot allow this to happen to Ilminster again.
- Cycleway -There is a responsibility to the applicant to ensure a contribution to the cycleway is achieved and that upgrading of this cycleway is included within the development.
- Agricultural land development- proposed fallowing of land would take away viable agricultural land and disappointed the local wishes for a community woodland have been disregarded.

Having previously declared an Other Registrable interest Councillor Sue Osborne then left the room, taking no further part in the debate or vote.

Councillor Adam Dance neighbouring division member also addressed the committee. He reiterated concerns already raised including only one access point to the site with emergency access not suitable, doctors' facilities already at capacity, impact on the increase in traffic and that funding should be sought from the development regarding the Stop Line Cycleway.

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

- Had been a good opportunity to revisit the masterplan.
- Fallowing of land is not permanent with the provision of a wetland being the long-term intention.

- Scheme has been fully scrutinised by the LLFA with details at reserved matters stage to show betterment can be achieved.
- No objection from highways who accept it safe and deliverable.
- Proposal will not create undue impact on local facilities.

In response to points of detail and technical questions raised by the public speakers, the Planning Officer and Lead Specialist clarified that:

- Levels of parking would be agreed at reserved matters stage.
- Explained why a financial contribution regarding local health facilities had not been sought.
- Flooding – applicants have amended plans to increase capacity of attenuation ponds.
- The site is allocated within the direction of growth in the Local Plan.
- Highways consider the one access to be acceptable.
- Explained the phosphate credits process and land use change.
- Accepted that fallowing of land was not a long-term solution and that a S106 obligation is imposed to ensure an alternative be found within 5 years.
- Explained the limitations around the original financial contribution sought by Sustrans from the developer regarding the Stop Line cycleway improvements, but confirmed that a contribution had been agreed with the developer based upon the likely contribution to overall usage of the route.

In response to questions from members the Planning Officer and Lead Specialist also noted that:

- Explained the process regarding education provision and was confident with this calculation that there would be no adverse impact on the local schools.
- Full details of the drainage plan would be for the reserved matters stage.
- A Section 106 agreement will control the issues around the fallowing of land and that within 5 years an alternative solution must be found.
- Confirmed the Ilminster neighbourhood plan acknowledged this as a development site.
- Explained why the land originally identified as the primary school site had been deliberately left out of the development area.
- No Traffic Regulation Orders are included with the proposal and the secondary access was for emergency vehicles only. Reiterated that Highways considered the scheme acceptable and although they appreciate the concerns raised, they do not breach the severe test.
- Felt potential maintenance and improvement of the cycleway that abuts the site would be best dealt with under CIL, but in this case a contribution towards the costs would be justified.

During members discussion some of the comments included:

- Concern regarding only one access point to the site and impact on safety and possible emergency access.
- Concern regarding drainage and flooding issues on the site.
- Site was within the direction of growth in the Local Plan.
- There were a number of material conditions including lack of housing land supply and therefore on balance considered acceptable.

It was proposed by the Chair and seconded by Councillor Oliver Patrick, to approve the application subject to the prior completion of a section 106 planning obligation, no adverse comments from Natural England and the imposition of conditions as per the officer recommendation as detailed in the agenda report.

On being put to the vote, the proposal was carried by 6 votes in favour, 2 against and 0 abstentions.

**RESOLVED:**

That planning application 16/05500/OUT for up to 400 dwellings with associated access at Land South West of Canal Way, Ilminster, Somerset be APPROVED, subject to the prior completion of a section 106 planning obligation, no adverse comments from Natural England and the imposition of conditions as per the officer recommendation as detailed in the agenda report.

(voting: 6 in favour, 2 against, 0 abstentions)

**65 Planning Application 23/02163/COU - 196 Sherborne Road, Yeovil BA21 4HL - Agenda Item 6**

The Planning Officer presented the application as detailed in the agenda report. With the aid of a Powerpoint presentation highlighted key elements of the proposal including:

- Corrections to some typos within the report referring to property address numbers and the number of occupants.
- Site location and proposed plans.
- Current parking space and rear private access of site although not classed as a legal right of way.
- The key considerations:
  - Relevance of the HMO Article 4 Direction.
  - Parking Standards.
  - Residential Amenity.

She also suggested that an additional condition be included as follows:

'The accommodation hereby permitted shall not be occupied by more than (6) persons and that there should be no further subdivision of the property'.

Reason: In the interests of clarity as to the extent of the planning permission.

The application was recommended for approval subject to the imposition of conditions as set out in the agenda report and the additional condition to limit the number of occupants to six.

Councillor Tony Lock, Division member addressed the committee. He voiced his support of the application and understood it would only increase the occupancy by one person. He said that if approved the HMO licence would ensure the property is brought up to an acceptable standard that would have to be maintained. He felt it would regularise the accommodation for tenants and that there would be no detriment to the residents and local area.

In response to members questions the Planning Officer clarified the location of the bin stores and cycle provision.

There being no further debate it was proposed by the Chair and seconded by Councillor Steve Ashton, to approve the application subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report plus an additional condition to limit the number of occupants to 6 persons.

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

**RESOLVED:**

That planning application 23/02163/COU for Change of Use from C3 residential to C4 HMO (no external changes) at 196 Sherborne Road, Yeovil BA21 4HL be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report plus an additional condition to limit the number of occupants to 6 persons.

(voting: unanimous)

**66 Planning Application 23/01939/FUL - Ilford Farm, Ilford Lane, Ilton TA19 9EB - Agenda Item 7**

The Lead Specialist presented the application as detailed in the agenda report. He confirmed the application was only before the committee due to the applicant being a member of staff. With the aid of a Powerpoint presentation highlighted key elements of the proposal including the site location, residential curtilage, and

proposed plans.

The application was recommended for approval subject to the imposition of conditions as set out in the agenda report.

On recognising the property and following advice from the Legal Officer Councillor Martin Wale declared a Non-Registrable interest as he was friends with the husband of the applicant. He immediately left the meeting for the debate and vote.

During a short debate members voiced their full support of the application, and it was proposed by Councillor Tim Kerley and seconded by Councillor Mike Best, to approve the application subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report.

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

**RESOLVED:**

That planning application 23/01939/FUL for Change of use of adjoining land to residential, erection of extensions and alterations to property in order to create a multi-generational dwellinghouse and erection of a detached garage at Ilford Farm, Ilford Lane, Ilton be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report.

(voting: unanimous)

**67 Appeal Decisions (for information) - Agenda Item 8**

Members noted the planning appeal decisions for the Planning South area.

**(The meeting ended at 4.20 pm)**

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**CHAIR**