

Public Agenda Pack



Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 22 October 2024 at 2.00 pm

Present:

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

Cllr Mike Best
Cllr Tim Kerley
Cllr Stephen Page
Cllr Martin Wale

Cllr Jenny Kenton
Cllr Sue Osborne
Cllr Oliver Patrick

36 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Kevin Messenger, Andy Kendell and Tom Power.

37 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on Tuesday 24th September 2024 be confirmed as a correct record.

38 Declarations of Interest - Agenda Item 3

Councillor Sue Osborne advised that relating to agenda item 5, she had been a member of the South Somerset District Council Regulation committee and had previously considered this application. She confirmed that they would view the current application and information afresh with an open mind.

Councillor Oliver Patrick advised that relating to agenda item 5 Appendix One – Heads of Terms, his wife owns a GP surgery in Yeovil, but that this surgery will not receive any financial contributions from this development.

The Chair, in the interests of transparency, advised that relating to agenda item 5, he had also sat on the South Somerset District Council Regulation committee, but had been absent from the meeting that had previously considered the application due to holiday.

39 Public Question Time - Agenda Item 4

There were no members of the public registered to speak under Public Question Time.

40 Planning Application 14/02554/OUT and 15/03942/FUL - Land at Upper Mudford, Primrose Lane, Yeovil, Somerset. - Agenda Item 5

The Planning officer advised that this item referred to two planning applications, and that 15/03942/FUL is an ancillary application for the approval of two attenuation ponds to serve the housing development.

The Planning Officer presented the application as detailed in the agenda reports and with the aid of a Powerpoint presentation to highlight key elements of the proposal including:

- Site location.
- An indicative masterplan.
- Land budget
- Movement plan and traffic management plans
- A Landscape plan
- A Green infrastructure plan
- Pedestrian access plans
- Indicative bus routes
- Drainage plan for the attenuation ponds
- Various photographs of the site as it is currently as a working farm

He referred to the key considerations being that;

- These plans have developed and evolved considerably over the last ten years.
- The site is identified as direct of growth in policy YV2 Yeovil Sustainable Urban Extensions policy in the adopted SSDC Local Plan.
- The neighbouring Sock Hill Scheme for 252 dwellings, which is referred to throughout the report, was allowed at appeal.
- The services and facilities that this development proposes create a neighbourhood centre for this development and neighbouring developments, particularly Wyndham Park.
- This is an outline application, with all matters reserved except access.
- In consultation with the NHS, ICB and Education authority, it has been agreed that approval of the development will be subject to the financial contributions as detailed in the report for the extension of an existing GP surgery and an existing primary school.
- The 15% affordable housing secured in 2019 is maintained.
- An overage vs recycling clause has been introduced as detailed in the report.
- Technical matters raised by Mudford Parish Council have been addressed in the Three Dragons Report.
- £500,000 of Area South CIL money has been secured by the Planning and Transport Sub committee on 8th October 2024 to help front load infrastructure sooner than viability informed trigger points allow.

The committee were asked to approve both applications, by way of a vote on the officers recommendations as follows:

Recommendation 1

To approve application 14/02554OUT subject to the prior signing of a Section 106 agreement and subject to the stated planning conditions and informatives and amended reason:

Whilst the Council considers the proposal to be in conflict with particular policies within the Development Plan, namely elements of YV2 and the requirements of HG3, the Council's lack of a five-year housing land supply and the assessment of material considerations lends significant weight when considering the 'planning balance'. In this case, the site is located in a sustainable location with access to a range of services and facilities. The proposal is not considered to result in such a significant and adverse impact upon the landscape, visual amenity, residential amenity, highway safety, flood risk/drainage or ecology/biodiversity as to justify a refusal of planning permission. Therefore, in terms of the 'planning balance', it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing up to 765 dwellings, a neighbourhood centre, employment land and a care home with public open space, community, play and recreation facilities in this sustainable location. The environmental information submitted with this application has been taken into account as part of the consideration of this application and in formulating the officer recommendation and by Members in deciding to grant outline planning permission.

The proposal is considered to be in accordance with Policies SD1, SS1, SS2, SS3, SS4, SS5, SS6, YV1, YV2, YV5, EQ1, EQ2, EQ3, EQ4, EQ5, EQ6, EQ7, HG5, HG6, TA1, TA3, TA4, TA5, TA6 and HW1 of the South Somerset Local Plan 2006-2028, and the aims and objectives of the NPPF.

Recommendation 2

To approve application 15/03942/FUL subject to the stated planning conditions and informatives.

Two members of the public addressed the committee in objection to recommendation 1, approval of the application 14/02554/OUT. Their comments included:

- Whilst not against new development, this development is not suitable because it changes the conveyance and character of the catchment.
- The development will exacerbate flooding which is already a serious problem in the catchment.
- The submitted environmental impact statement has not considered recent flooding events and is therefore not up to date.
- Independent reviews have concluded that there is not enough evidence to demonstrate that the mitigation requirements of planning policy have been met on the application.

A representative from Charles Bishop Ltd, housebuilding company spoke in support

of the application. His comments included;

- The site was identified in the SSDC Local Plan and is needed to meet demands of a growing population of Yeovil.
- The scheme is the right development, in the right place and should be approved.

A representative from LRM planning addressed the committee in support of 14/02554/OUT. His comments included:

- The application satisfies the Council's own Local Plan Policy and is therefore proper plan-led development.
- There are no objections from any of the statutory consultees.
- The application was previously approved at the meeting of the SSDC regulation committee in 2019, and there appears to be no valid reason to refuse the application today.

A representative of Mudford Parish Council addressed the committee in objection to 14/02554/OUT. His comments included:

- There is robust evidence that demonstrates that this application does not comply with the sustainability objectives of the local plan.
- The developer has not engaged with Mudford Parish Council as it should have.
- Whilst we recognise the implications of the recent approval of the Sock Hill Scheme, it does not accept that 14/02554/OUT is a sustainable development.

The Division Member, Councillor Henry Hobhouse, advised that he had resigned from Area South Planning Committee immediately before this meeting, but speaking as the Division member he had two main concerns about 14/02554/OUT, flooding, and allocation of the affordable housing which the Council have confirmed does not prioritise local connection over housing need.

A representative from the applicant, Abbey Manor Group then addressed the committee regarding 14/02554/OUT. She advised that there are some considerable benefits to the development, including;

- The use of the site for housing land helps to address the short fall in housing land supply in Somerset.
- The development brings a significant contribution to the local school, GP surgery, community hall, and other leisure and recreation facilities.
- The development brings 8 acres of employment land, creating long term jobs and opportunities.
- The development brings financial contributions to cycling and footpaths and other highways improvements
- The development will create over 2000 jobs throughout the construction period.
- The population increase will help to sustain and grow the local economy.

The Planning officer was invited to respond to any or all of the comments made by the speakers, and he replied with the following;

- Flood risk has always existed at this location, and it is not proven that any new housing developments have or will make this risk greater. The application has passed through all the necessary consultees and there are drainage conditions that will mitigate the flood risk at the location.
- Page 70 of the report sets out how the criteria has been assessed.
- With regards to Cllr Hobhouse's comments about allocation of affordable housing units to local people, this was a request that came from Mudford Parish Council, asking for the rights to nominate tenants /buyers for the affordable housing. The rationale for not granting this request from Mudford Parish Council is included in the report. There is the inclusion of a Local Lettings Policy, referenced in S106 Heads of Terms. The councils recognised system for allocating homes to those in need is Homefinder and anyone in need should be encouraged to use this system.

Two members of the public addressed the committee in objection to recommendation 2, approval of the application 15/03942/FUL. The comments included:

- The emergency overflow from the two attenuation ponds drains towards existing properties.
- One of the ponds is directly above a major gas main. No mention is made of any long-term effects of this.
- It is difficult to see what is being proposed and whether it is deliverable.
- The extent of the flood plan and surface water discharge has not been properly assessed.
- Just last week there was significant flooding on Primrose Lane and Up Mudford. The impact of such being devastating for homes and businesses. School children cannot attend schools, hospital appointments are missed etc...
- The proposed development will be built on clay, exacerbating the flooding problems.
- What contingency plans are in place if these two attenuation ponds are not sufficient?

The Planning officer, in response to the comments made by the speakers regarding 15/03942/FUL, reassured members that the application has been extensively assessed by the LLFA and they have concluded that there are no concerns with the application.

In response to comments from members of the committee regarding 14/02554/OUT and 15/03942/FUL, the Planning Officer also advised that.

- The affordable Housing mix that has been applied fits with the housing need of the local area, where social rent housing is in particularly high demand.
- People living in neighbouring parishes, such as Yeovil Without will also

benefit from some of the improvements being made to walking and cycling infrastructure and other community facilities.

- The build rate of 40 houses a year is a normal for the area. A higher build rate would be more viable, but Three Dragons have assessed the viability of this application and this is the outcome that has been presented to us.
- Members can engage with the S106 negotiations that will begin immediately following approval of the applications. Any changes made to the Heads of Terms agreed by the committee today will need to be brought back to this committee for approval.

At the conclusion of the debate, the officer's recommendation to approve 14/02554/OUT was proposed by Councillor Sieb, and seconded by Councillor Kerley, and to approve 15/03942/FUL, proposed by Councillor Sieb, and seconded by Councillor Wale. When put to the vote, both proposals were carried, all 9 in favour.

Resolved

That planning application 14/02554/OUT to approve an outline application for development of a Sustainable Urban Extension to comprise up to 765 dwellings (Use Class C3), 65 bed care home (Use Class C2), employment land (Use Class E), retail units (Use Class E (a)(b)(c)(i)(ii)(iii) and hot food takeaway), community building (Use Class F2), health care facility (Use Class E(e)), primary school playing pitches, landscaping, open space and drainage infrastructure, access and associated highway works (GR 357198/118268) at Land at Upper Mudford, Primrose Lane, Yeovil, Somerset be **APPROVED** subject to the prior completion of a Section 106 Planning Obligation/Agreement and the stated planning conditions, as per the amended recommendation set out in the Officer's presentation:

Whilst the Council considers the proposal to be in conflict with particular policies within the Development Plan, namely elements of YV2 and the requirements of HG3, the Council's lack of a five-year housing land supply and the assessment of material considerations lends significant weight when considering the 'planning balance'. In this case, the site is located in a sustainable location with access to a range of services and facilities. The proposal is not considered to result in such a significant and adverse impact upon the landscape, visual amenity, residential amenity, highway safety, flood risk/drainage or ecology/biodiversity as to justify a refusal of planning permission. Therefore, in terms of the 'planning balance', it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing up to 765 dwellings, a neighbourhood centre, employment land and a care home with public open space, community, play and recreation facilities in this sustainable location. The environmental information submitted with this application has been taken into account as part of the consideration of this application and in formulating the officer recommendation and by Members in deciding to grant outline planning permission. The proposal is considered to be in accordance with Policies SD1, SS1, SS2, SS3, SS4, SS5, SS6, YV1, YV2, YV5, EQ1, EQ2, EQ3, EQ4, EQ5, EQ6, EQ7, HG5, HG6, TA1, TA3, TA4, TA5, TA6 and HW1 of the South Somerset Local Plan 2006-2028, and the aims and objectives of the NPPF.

Voting: Unanimous in favour

Resolved

That planning application 15/03942/FUL to approve an application for engineering works to create two attenuation basins and a landscape buffer to support application 14/02554/OUT at Land at Upper Mudford, Primrose Lane, Yeovil, Somerset be **APPROVED** subject to the stated planning conditions as per Recommendation 1 of the officer's report.

Voting: Unanimous in favour

41 Planning Application 22/01598/OUT - Land South Of High Street, Sparkford, Yeovil, Somerset. - Agenda Item 6

The Planning Officer presented the application as detailed in the agenda report and with the aid of a Powerpoint presentation to highlight key elements of the proposal including:

- Site location.
- An indicative masterplan.

The application was recommended for approval subject to approval subject to a S106 to secure a Travel Plan. The officer reminded members that this is an Outline application, applying for the principle, indicative layout and the access, and that further size scale and layout detail will be addressed with a Reserved matters application. She referred to the principle of development being supporting economic growth in rural areas.

The planning officer acknowledged the concerns around foul water disposal. She advised that Wessex Water had been consulted and had raised no objections with the proposal. She also acknowledged the concerns around visual impact on neighbouring dwellings and assured members that appropriate screening could mitigate this. The planning officer confirmed that phosphates had been screened out of the application due to it being employment land, and that all flood and drainage assessments had been accepted by the LLFA. There is a condition regarding tree and hedgerow protection included in the proposal.

Two members of the public addressed the committee in objection to the application. Their comments included:

- There are 98 objectors to this application.
- This field floods when there is heavy rain. If this land is developed it will force the flooding elsewhere in the village.
- 68 vehicle movements joining an already very busy road. This impacts pollution, noise levels, risks security among many other impacts for the community.
- This proposed development is not proportionate to the scale and character of this small rural settlement of just 700 people.
- More weight should be given to the Sparkford Community Plan which looks to

preserve the villages green spaces including this site. The local community has not been properly consulted or listened to.

A representative of Sparkford Parish Council spoke in objection of the proposal. His comments included:

- The access is squeezed between a very large oak tree (TPO), and an orchard (TPO) on a narrow, busy road. There will be a large increase in HGV traffic which will need to turn into oncoming traffic to enter the site. This access arrangement is not acceptable.

A representative from Boon Brown Ltd addressed the committee in support of the application. He advised that:

- This application will benefit the employment sector and contribute to a thriving local economy.
- There is only one house along the road so has little impact in this regard.
- Sparkford is in a prime location for industry and the site is ideally situated for commercial use.
- All 14 statutory consultees have no objections to the proposal.

The Division member, Councillor Henry Hobhouse addressed the committee and echoed the concerns of residents about the sewage system in Sparkford which is inadequate, and that in his opinion there is enough employment land in the local area.

In response to the comments, the Planning Officer advised;

- Understand the depth of feeling around the sewage system issue. But as there has been no objection from the statutory consultees, it is very difficult to evidence a reason for refusal on these grounds. There is a foul drainage condition which will need to be agreed with Wessex Water prior to commencement of the development.
- Regarding relevant planning history and the 2 other applications undetermined near this site, these are held up due to ecology and phosphate issues.
- A need for further employment space/land at this location has been identified and the NPPF and the SSDC Local Plan states that significant weight must be given to this need.
- Regarding impacts on the protected trees and orchards at the entrance to the site, the proposed access plans have been approved by the statutory consultees, including the Councils Tree officer.
- If overnight HGV parking is a concern for members, the approval could be subject to an additional condition to control overnight HGV parking.

At the conclusion of the debate, the officer's recommendation to approve the application was proposed by Councillor Osborne, seconded by Councillor Sieb. When put to the vote, the proposal was carried by 6 in favour, 2 against. (Councillor

Patrick left the room before the vote)

Resolved

That planning application 22/01598/OUT to approve an outline application with all matters reserved except for access for the creation of commercial buildings under Use Class B2 and B8 at Land South Of High Street , Sparkford, Yeovil be **APPROVED** subject to a S106 to secure a Travel Plan, and the negotiation of an additional planning condition to control overnight parking on the site if appropriate, the details of which to be delegated to the Planning Service in consultation with the Chair and Vice-Chair of Planning Committee South.

Voting: 6 in favour, 2 against.

42 Planning application 20/02014/REM - Land At Head Street, Tintinhull, Yeovil, Somerset. - Agenda Item 7

The Planning Officer presented the application as detailed in the agenda report and with the aid of a Powerpoint presentation to highlight key elements of the proposal including:

- Site location.
- An indicative masterplan.
- Elevations
- A landscaping plan

He referred to the previous approval of the reserved matters application on 24th October 2023 and advised that it was being brought back to committee following a viability assessment, and that the committee was being asked to approve a deed of variation to remove the affordable housing obligation of the s106 agreement.

He referred the committee to the key considerations being;

- Appearance
- Landscape
- Scale
- Phosphate mitigation
- Biodiversity enhancements
- Consultation
- Removal of the affordable housing contribution

The recommendation is that planning permission be granted subject to the prior completion of a Deed of Variation, and the Planning obligation/Agreement and the stated planning conditions.

Delegated to the Head of Planning in consultation with the Area Chair (South). There is no Holding Direction in place from the Secretary of State.

A representative of Tintinhull Parish Council spoke in objection to the application and his comments included;

- Since its original rejection by the planning department in 2016, this plan has not changed.
- Despite an extensive submission from the Parish Council, and many objectors, there have been no meetings with villagers to listen to feedback on this development.
- The size of this development equates to 10% population growth, in a small village where there are very few amenities.
- The developer should not be allowed to remove the affordable housing contribution.

A representative of Boon Brown Architects then addressed the committee. He advised that the scheme was originally submitted in 2016. The application was refused by the Planning committee, but allowed at appeal by the Planning Inspectorate, therefore the principle of development has been established. He added that whilst not delivering affordable housing, this development is delivering significant CIL contributions, and other financial contributions to local services as detailed in the s106 agreement.

In response to questions from Members, the Planning Officer advised;-

- The viability assessment undertook 10 different types of affordability review, none of which produced a better, more profitable outcome if the affordable housing contribution is not removed.

Members debated the situation concerning viability and removal of the affordable housing at length, but at the conclusion of the debate, the officer's recommendation to approve the application was proposed by Councillor Wale and seconded by Councillor Best. When put to the vote, the proposal was carried by 5 in favour, 1 against and 1 abstention (2 Councillors had left the meeting).

Resolved

That planning application 22/02014/REM to approve a reserved matters application pursuant to condition 1 (appearance, landscaping and scale) and condition 5 (biodiversity enhancements) of outline planning approval 16/04608/OUT for the erection of 28 dwellings and associated works at Land At Head Street, Tintinhull, Yeovil, Somerset be **APPROVED** subject to the prior completion of a Deed of Variation, and the Planning Obligation/Agreement and the stated planning conditions.

Voting: 5 in favour, 1 against, 1 abstention,

43 Appeal Decisions (for information) - Agenda Item 8

The committee noted the appeal decisions report.

(The meeting ended at 6.34 pm)

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CHAIR

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