

Planning Committee Minutes 16- 07 - 2020

Minutes of a meeting of Frome Town Council's Planning Committee

Date: Thursday 16th July 2020

Time: 7.00pm

Venue: Online Zoom Meeting

Present:

Frome Town Planning Committee Councillors: Richard Ackroyd, Lizzie Boyle, Anita Collier, Mark Dorrington, Sheila Gore, Anne Hills, Paul Horton (Deputy Chair) Andy Palmer and Steve Tanner (Chair)

Mendip District Councillors: John Clarke and Helen Kay

In attendance:

Members of the public: 13

Press: Nub News

Presenters: 2

Rachel Griffin, Marketing & Communications Manager

Jane Llewellyn, Planning and Development Manager

Hannah Paniccia, Assistant Finance Officer

Peter Wheelhouse, Economic Development & Regeneration Manager & Deputy Town Clerk

Cllr Rob Collett (FTC)

Minute Ref	Agenda Item	Action
2020/033P	1 QUESTIONS, COMMENTS AND INFORMATION FROM THE PUBLIC None	
2020/034P	2 DECLARATION OF MEMBERS' INTERESTS AND TO AGREE THE MINUTES OF THE PREVIOUS MEETING APOLOGIES FOR ABSENCE Cllr John Nelson DECLARATION OF MEMBERS INTERESTS Cllr Andy Palmer ID 329 – the applicant is a client MINUTES The minutes of the Planning Advisory Group meeting held on 25 June 2020 were agreed. Proposed by Anita Collier, seconded by Mark Dorrington. Agreed by all Cllrs who were present at the 25 June meeting. Andy Palmer abstained as he was not present at that meeting.	
2020/035P	3 TO CONSIDER THE AMENDED PLANS FOR SAXONVALE REF: 2019/1180/OTS Luke Cleary and Simon Gait from Acorn Property Group attended the meeting. Luke Cleary presented a presentation showing the amendments from the original application. Cllr Collier asked Luke to clarify if the area that is set aside that looks like extra commercial space, are the live-work dwellings? Luke Cleary said they are in addition to the live-work dwellings. It is outside of the minimum of the 45,000 square foot and is in addition. The additional brown hatched area on the plans are flexible commercial use. Cllr Collier asked how can we be sure that the live-work dwellings will be taken up commercially rather than taking over the dwelling and changing it into another residential area? Luke said that this is a valid concern but they are hoping the people who are gravitated towards Frome will think that this is a great offer and to make use of, however there is no guarantee it will form commercial space so that is why it hasn't been included in the quantum of commercial space but it will be a test to see if there is an uptake for it, we believe there is an uptake for it and obviously if it is proved as what people want then there can be more of it in the second and third phase.	

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Cllr Collier questioned what Acorn mean by the flexible commercial area, will it be taken up purely as commercial space? Luke said effectively we are yet to know, whilst we are talking to some commercial interests who will not make a formal offer as such until planning permission has been granted. It is bit of an unknown so we are keen to keep it flexible no guarantee or commitment without knowing if there is enough people to take up the space. Simon Gait added that the purple hatching area is a shell and core big space not fitted out residentially on the ground floor. So people can take the space and do as they see fit, it could be retail at front with a workshop out back or retail out front and residential out the back. We are trying to leave it as blank as we can so we don't dictate or guess what the market want and get it wrong, that is the basis of trying to have the space as flexible as possible. On the brown hatching that space isn't connected to the residential above, there is no connection and has a separate access. With the area in the purple hatching they are trying to make sure it has residential too, so it makes it more mortgageable it is easier with a residential mortgage. Having an apartment fronting Garsdale Road on ground floor isn't very attractive.

Cllr Collier asked when talking about not having an indication of the uptake of the commercial space, how much have you liaised with the Chamber of Commerce and others like that to see what the uptake may be? Simon confirmed that they have liaised with Chamber of Commerce throughout the whole process and they have done a marketing exercise locally and regionally. They have gone out to interested parties, created flyers and put it on websites. Whilst there has been some local interest it is difficult at the moment for any business to commit to taking some space, which first of all planning permission has to be achieved and then building has to be done. Any business at the moment which we have talked to has expressed that they would like to be here but being two years away it doesn't really fit into their business plan, therefore they have said if we can make some progress then they would like to come and talk to us but until then their businesses can't see that far ahead.

Cllr Horton asked how does the mortgage work on the live-work spaces. Simon said the purple hatching is intended to have workshop, sales frontage and can connect to a residential unit above. Through the planning process we are trying to classify the space of having commercial residential which we believe will make it more mortgageable. If they are split between residential and commercial, then you would need to get two mortgages which would be more difficult. Cllr Horton asked if that works there why doesn't that approach work on Garsdale Avenue? Simon said they have done it there as there is going to be quite a lot of ground floor commercial space. The area along Garsdale we see as being slightly narrower and the accesses for residential probably won't be off of Garsdale, they will be off a higher point because of the slope on the site so we don't really want them connected and what we are trying to provide is a variety of product but the great thing of doing the development in phases is to be able to see how successful the phase one element is then we can see what we should be doing along Garsdale. Cllr Horton asked Simon to confirm if the ground floor on Garsdale will have a flexible planning use clause which means it could be easily switched between ground floor flat, café, shop etc without having to go through planning. Simon said yes that is what is intended.

Cllr Horton asked for the amount square footage of residential. Simon confirmed that there is 230,000 square feet of residential use.

Cllr Horton asked if there is a commitment to the bridge under this planning application? Luke said yes, we've always been committed to the bridge and can see the benefit to Saxonvale and the wider community. At the detailed design stage we will need to speak to Environment Agency, Highways and Ecologists, there will be challenges to reach an agreement but we will write it into the S106 as a commitment but there is a lot of detail

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and consultation that needs to be done. Cllr Horton said that this is the same response for several months and asked if they have had the conversations yet? Luke said that they can't have the conversations yet as it is a detailed design matter, that can only be tackled later on. At the moment this application only looks at outline permission and access. Cllr Horton questioned if the bridge should be counted as access? Luke said that it is not included in Somerset Highway's view and the vehicle access into the site is what is being discussed. Simon mentioned that the bridge will be some form of compromise of what the Environment Agency want and how to give pedestrian, cyclist, disabled and buggy access. It is also difficult we are not able to build in the flood zone and in the ecology area. There isn't much of a landing area so it will be difficult to do. We believe the bridge will improve the site, gives access, promotes cycling and will make the development and the apartments more attractive and saleable. Cllr Horton asked if the bridge is part of the S106 provided to the community and not part of the application. Simon confirmed it would be part of the S106. Cllr Horton said it was interesting as it will add value to the properties too. Luke said that is the nature of it you want the best development we want the best development, the reason we mention the S106 is because people are dubious of the delivery of the bridge and the only mechanism the planning authority have is to write it into a contract/S106 which talks about all of the community benefits and also the education contribution which is about one million pounds for this development alone. The other way would be via a condition but it would be up to the Planning authority to choose the best way. The reason we mention the S106 is to give you some comfort. Simon added that S106 are legal contracts. Cllr Horton said he would feel even more comfortable if it was committed to as part of the outline application as part of the development rather than under a S106. Cllr Ackroyd was concerned about the S106 being a pot of money that may not get spent and the project get abandoned as it is not viable. Why isn't the bridge part of access in the outline application? Simon mentioned it is in the outline application in the S106. Jane Llewellyn confirmed that this S106 is different to what we have previously seen with other applications from other developers. This S106 in this outline application is for the developers to provide the money and for them to build the bridge too. Luke confirmed that the proposal is to pick up 100% of the cost and implement the bridge too. Cllr Horton highlighted that the development could have around 500-600 adults living in Saxonvale and asked how many jobs will be created in the non-residential part of the development. Simon said they are thinking the development will create around 450 jobs. Trying to fixate on a quantum of commercial in my mind is perhaps how people used to think, people are moving forward hot-desking and co-working. We are trying to have a sustainable development where people will be able to work from home too. Cllr Ackroyd asked if there is an opportunity to increase the amount of social or affordable housing on the development? Simon said we are looking to provide a minimum of 20% affordable housing. Cllr Collier asked Mendip District Cllr John Clarke how the 20% affordable housing being delivered sits with him rather than the 30% affordable housing aim. Mendip District Cllr John Clarke said that I can't give too much information as we are bound by a strict non-disclosure agreement. My understanding is that they are looking at 20% affordable housing as Simon said and anything above that would need to be negotiated. There is also a proportion that can be taken off the 30% which is allowed for in planning regulation because empty buildings credit (5%). Cllr Collier says it feels very undercover with the non-disclosure agreement on something like this, it is pretty important. Cllr Collier asked Cllr Clarke how this sits with him. Cllr Clarke said there is a dire need for social housing not just in terms of affordable for market housing to buy but for social housing and I would like to see more social housing on the site. My ambition would be to see totally social housing on the site.

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Jane Llewellyn mentioned that in the application it wasn't clear how the flexible use would operate. It might be helpful to provide clarity and in more detail how Acorn envisage the flexible uses will operate as just described to us. Simon said that they will have a look to see what they can add.

Cllr Boyle was really pleased to see the report from Bioregional about sustainability on the site. Cllr Boyle asked how will the recommendations and improvements to meet one planet living will transpire in the development? Luke said effectively this is something that will be reviewed at the detailed design stage so obviously the good thing about one planet living is the sustainability which for the most part we can get on board with but there are a few technical elements which require us to work up e.g. materials, how much glazing, before we can commit. Because we are at the start of the process and haven't designed the buildings as such we used the Bioregional report to demonstrate how much we are trying to commit in terms of our ambition in the development without trying to over commit. The recommendations include some really good points and it is something that we will try and do as much of when we look at the detailed design. Luke also mentioned that Frome Town Council started looking into a microgrid which we are assisting them with. Hopefully we will see the detail soon as they are using Saxonvale as the model. It is an exciting and ambitious piece of work. Peter Wheelhouse said that the final report for the microgrid is yet to be published. We have another meeting of the working group later this month after which the report will be published. Essentially the proposal is for both a microgrid that makes use of solar energy which is stored to benefit the community at Saxonvale and also the proposal is a heat network, the aim is to make Saxonvale as sustainable as possible in energy generation in the future. The full details will come out later this month or early part of August.

Cllr Ackroyd mentioned that he has heard that no viability assessment has been done for this site. He said I think it would be in Mendip's interest to publish some of the costs and come clean on how much it cost them to purchase the site. Frome Town Council published that when they sold theirs. I would really welcome a bit of openness and honesty and I find it quite difficult to make a decision on this if I know that our District Councillors are not allowed to say what they really think because of the non-disclosure agreement. It feels a little bit odd and that's not a fault of Luke or Simon as I actually quite like a lot of this development. Simon mentioned that the Vacant Building Credit takes approximately 5% off the 30% affordable housing which takes it down to 25%, so at the moment we are 5% short of being policy compliant. If there was something we could do to narrow that gap then we would do that. We are currently at 20% which equates to 60 homes, I think we would all agree that we would like to provide more but the viability that we are currently working through prohibits us from that. I will say and reinforce that the land payment that MDC made to FTC had a requirement that on that land there should only be 4 homes provided that equates to 7%. That decision was taken if at the time FTC had dictated on their land it had to be 20% that would equate to approximately 2 or 3% more homes but the Town Council would have received a lesser receipt for their land. So I don't necessarily have an issue with that in money that FTC received they will use for the benefit of Frome including being involved in the Western Warehouse. We have tried to work very hard to find a way of discounting Western Warehouse sale as we would very much like FTC to occupy this. Whilst I understand that everybody would like more affordable homes, decisions have been made to try and make a viable outcome in the same way FTC made the decision to take a greater receipt to benefit community projects for Frome. Cllr Tanner said that I think the point is FTC is open and published the income and the decision made but elsewhere there is the non-disclosure agreement and vagueness and greyness. Simon said I think if you were minded to you could find out what MDC paid for the land but obviously the viability you

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don't have access to. MDC don't have a viability at the moment but it is something we continue to work towards and I believe that MDC are not prepared to release that at the moment.

Cllr Horton said I just want to clarify something that Simon said there. You suggested that the secrecy and non-disclosure of figures is purely down to MDC, does that mean that Acorn as a business are actually quite happy to release this information? Simon said that if that information was released we would be concerned that it would be commercially sensitive to us. Cllr Horton asked even if MDC were happy if Acorn wouldn't want this released? Simon answered we have put comment back to MDC to say that we don't think that that's appropriate.

Cllr Ackroyd said that the land FTC sold to MDC is 1/8 of the whole site so if FTC decided to sell the land at 25% social housing across the whole site you still wouldn't be anywhere near the 25% as you are talking about one or two houses different.

Jane Llewellyn asked if what the Cllrs have heard made any difference to the proposed response? Cllr Tanner said that he agrees with Cllr Ackroyd that without knowing the full story and numbers it is hard to make a decision. Cllr Collier agreed with the comment made. She also added that seemingly there is more commercial space but because the uptake of the commercial space is unknown is it providing what we have asked for as it could turn into residential. Cllr Horton said he welcomes Simon and Luke's definition of the flexible use but as Jane suggested a written or graphic clarity around that would be really useful, however our current response does acknowledge the additional of the flexible use and says we welcome that and also that there is still not enough as Simon demonstrated by the huge amount of residential use in relation to the commercial space.

Rachel Griffin read out a comment from Giles Vallis. As a member of public who lives on the outskirts of Frome I would reinforce and support the requirement to ensure a pedestrian and cycle bridge is made a condition as part of the application as we inevitably move towards having less cars in the centre of Frome pedestrian and cycle links have an importance and improve connectivity throughout the town.

Mendip District Cllr John Clarke wanted to talk about the non-disclosure agreement and the viability. He said as Simon said a lot of this information is being treated as commercially sensitive because it impacts on Acorn maximising the site for themselves as well as others. As far as I am aware the cost of the land is 6.3 million pounds the only thing we have been told with great clarity at the moment is that the money will be recouped, I may be wrong in disclosing that but I understand that it is public knowledge.

Mick Dunn and myself have been pushing for some time to get greater clarity on the financial position in terms of the viability of the site as it needs to be viable for MDC in terms of the community, not just Frome but the wider community as well as it being viable for Acorn. One concern for me is that this is being done phase by phase. It's great to see the increase in the commercial use but it is nowhere near the amount being asked for and my concern is at the end of phase 1 it may change and there are no guarantees that what is being said right now will go through all of the phases of the development.

Luke said that the viability is an issue that has been discussed at some length. To give some context the site has been empty for a long time and that is because it is very expensive to develop. The planning inspector in 2016 changed the Local Plan to say any commercial space in Saxonvale is non-viable, people don't make any money on it.

There was a previous permission on the site with 11% affordable approved and we are at 20%. Ric Swann said the consent was for only part of the site.

Mr Swales wanted to ask about the exit onto Vicarage Street. He said we were very pleased to hear that it was going to be a cycle track and pedestrian way but when you read in the notes it's very confusing as it also says there are six parking spaces that are

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	<p>going to be there. I wondered where the six parking spaces are going to go. Jane Llewellyn said her understanding of the plans were that those parking spaces for the properties at the end of that track will be accessed by a different route now, but Luke or Simon will be able to confirm. Simon confirmed that that is correct. Mr Swales was concerned that because this was kept in Reserved Matters that this could change also he could see the parking spaces on the new map but couldn't see a different route other than Vicarage Street. Simon confirmed that the access on Vicarage Street will just be for cyclists and pedestrians and the access for the parking spaces will come from the main site. Simon also confirmed that the Reserved Matters does not have the ability to change the access. Mr Swales also raised a concern of the buildings parallel to Vicarage Street have changed from 2 storeys to 3 storeys. Luke said that the storey heights and location near Mr Swales property haven't changed. The only storey heights that have changed are the ones next to the Silk Mill to retain the heights of the existing buildings. As this is an outline application this only looks at the number of dwellings and the access. The detail will come in the Reserved Matters application and this will have a huge amount of detail including elevations and sections which will show your property boundary and how this responds to what is being proposed. Mr Swales asked if the green strip will be kept for the animals. Luke said the area we don't need for pedestrian and bikes will definitely be landscaped as it looks nice and is good for biodiversity. Cllr Horton mentioned that this application doesn't set the height of dwellings however it does set a strong precedent so if you feel that building heights are too high at the moment then it would be best to comment on this at this stage. Ric Swann said it is a shame that Nash haven't committed to a maximum building height in meters at least then we would know.</p> <p>Cllr Boyle asked if the 15,000 square feet flexible use is in addition to the 45,000 square feet and the live work units? Luke confirmed that this is correct.</p> <p>Cllr Gore said she recognises that this site is difficult to develop but there is lots of reasons it hasn't been developed in the past it's not just because it's a tricky site. Access has always been an issue but there are various other reasons it has been problematic and that's nothing to do with the site itself but who owned it and the complexity of who owned it.</p> <p>Rachel read out Mendip District Cllr Helen Kay comments who said there are costs of land remediation, I am happy to raise the S106 and the bridge with Mendip planners. Jane Llewellyn read the proposed response. Jane suggested that the Councillors may want to add that they welcome the dedicated bike routes and the relocation of the pedestrian crossing.</p> <p>Cllr Horton asked for clarification as in the proposed response it said to limit the vehicle access to Vicarage Street. Is this the access for the parking spaces or something else? Jane said this is the element the HGVs will be going through the main site rather than using Vicarage Street which they currently do.</p> <p>You can view the response for the amended Saxonvale plans here; https://www.frometowncouncil.gov.uk/wp-content/uploads/2020/01/Saxonvale-consultation-response-17072020.pdf</p> <p>This response was proposed by Paul Horton, seconded by Rich Ackroyd, agreed unanimously.</p>	
2020/036P	<p>4 TO CONSIDER THE MAJOR PLANNING APPLICATIONS RECEIVED – APPENDIX 1 Please see all responses in the table below, this section of the minutes records which applications were discussed and the Cllrs votes for each response. ID 324 - Proposed by Steve Tanner, seconded by Mark Dorrington, agreed</p>	

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	<p>unanimously. ID 329 - Proposed by Steve Tanner, seconded by Rich Ackroyd, All Cllrs agreed (Andy Palmer abstained from voting as he declared an interest on this application.) ID 330 - Proposed by Anita Collier, seconded by Sheila Gore, agreed unanimously. ID 332 - Proposed by Mark Dorrington, seconded by Andy Palmer, agreed unanimously. ID 334 - Proposed by Rich Ackroyd, seconded by Steve Tanner, agreed unanimously.</p> <p>It was agreed that the response for all of the other applications listed in appendix 1 would be no objections. Proposed by Anita Collier, seconded by Andy Palmer, agreed unanimously.</p>	
2020/037P	<p>5 DATE OF NEXT MEETING The next meeting will be at 7pm on 6 August 2020. Details to be confirmed.</p>	

The Chair closed the meeting at 8.55 pm

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323	2020/1141/FUL	Greenhill Grange Catherston Close Frome	Frome Park	TWOHIG	Erection of a detached store and bin store	Mr Carlton Langford	Full Application	No objection
324	2020/1191/HSE	8 Lansdown Place Frome	Frome Oakfield	Mr And Mrs Graham Willis	Re-submission of 2020/0395/HSE - Erection of single storey rear extension, replacement garage with associated works	Charlotte Rogers	Householder Application	No objection
325	2020/1184/HSE	3 Farmhouse Drive Frome	Frome College	Andrew Barnes	Erection of first floor side extension above garage	Miss Jennifer Alvis	Householder Application	No objection
326	2020/1185/HSE	35 Beaconsfield Way Frome	Frome College	Mr. Chris Glover	Erection of single storey rear and side extensions. and new enclosed front porch lobby	Miss Jennifer Alvis	Householder Application	No objection
327	2020/1166/LBC	26 King Street Frome	Frome Market	Kate Oakes	Replace roof with rubber material	Mr Felix Charteris	Listed Building Consent	No objection
328	2020/1193/HSE	32 Locks Hill Frome Somerset	Frome Keyford	Mr S And Mrs M Miller	Erection of single storey rear extension	Mr Josh Cawsey	Householder Application	No objection
329	2020/1134/LBC	Flat 1 2 Bath Street Frome	Frome Market	Kevin Daykin	Internal alterations and layout re-arrangement	Mr Felix Charteris	Listed Building Consent	No objection - subject to Conservation Officer support.
330	2020/1124/FUL	Shop 8 Baker Street Frome	Frome Market	Mr. Nigel Williams	Repair and alterations to shopfront and internal alterations	Mr Callam Pearce	Full Application	Fully support, we are pleased to see this sensitive restoration take place and look forward to the shop being brought back into use
331	2020/1086/HSE	6 Orchard Close Frome	Frome Park	Mr Ben Mellor	Single Storey Rear Extension, and Internal Alterations	Mr Josh Cawsey	Householder Application	No objection

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332	2020/0959/FUL	Garages Dyers Close Lane Frome	Frome Market	Tracey Hancock	Erection of 2no three bedroom dwellingshouses	Mr Carlton Langford	Full Application	Objection - We are disappointed that these dwellings will not provide affordable or social housing, if it is granted we would want to ensure that any profits will be reinvested in affordable/social housing in Frome. We also reiterate the Civic Society's response regarding the design and parking issues on the site. However, if the proposal was for affordable/social housing we would reconsider our objection in respect of the parking issues.
333	2020/1213/HSE	56 Rodden Road Frome	Frome Berkley Down	Mr And Mrs H Chapman	Erection of a two storey rear extension, single storey side extension and paint existing exterior pebbledash	Mr Callam Pearce	Householder Application	No objection
334	2020/1266/HSE	119 Broadway Frome	Frome Oakfield	Mr. and Mrs. Westfield	Demolition of existing single storey extension and erection of two storey and single storey rear and side extensions.	Mr Josh Cawsey	Householder Application	No objection - we note the objections from the neighbouring properties and would ask that the issue of overlooking is assessed on site.