

Planning Committee Minutes 19- 11 - 2020

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

Date: Thursday 19th November 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), John Nelson, Andy Palmer and Steve Tanner (Chair)

In attendance:

Members of the public: 4

Mendip District Councillors: Adam Boyden, Helen Kay, Janine Nash and Richard Pinnock

Jane Llewellyn, Planning and Development Manager

Hannah Paniccia, Assistant Finance Officer

Minute Ref	Agenda Item	Action
2020/o60P	1 QUESTIONS, COMMENTS AND INFORMATION FROM THE PUBLIC None	
2020/o61P	2 DECLARATION OF MEMBERS' INTERESTS AND TO AGREE THE MINUTES OF THE PREVIOUS MEETING APOLOGIES FOR ABSENCE Cllr Andy Palmer left early DECLARATION OF MEMBERS INTERESTS Cllr Anita Collier – Director of Fair Housing for Frome Cllr Paul Horton – Director of Frome Area Community Trust MINUTES The minutes of the Planning Advisory Group meeting held on 29 October 2020 were agreed. Proposed by Cllr Anita Collier, seconded by Cllr Mark Dorrington. Cllr Andy Palmer abstained as he did not attend the previous meeting. All other Councillors were in favour.	
2020/o62P	3 OPEN DISCUSSION ON MENDIP DISTRICT COUNCIL'S PROPOSAL TO BUILD AFFORDABLE HOUSING AT EASTHILL, FROME Jane Llewellyn introduced and gave the following update on this item; This agenda item is listed as an open discussion, so there is no report and no recommendation. I will start by setting out what has happened to date and what we know before we open up the discussion. The proposal for land at Easthill to be developed for affordable housing was first brought to our attention the day before it was due to be discussed at the MDC Cabinet meeting on 2 nd November. The proposals are for 100% affordable housing including 50% social rent. The report to Cabinet outlined sites across Mendip including two in Frome, land at Easthill and North Parade Car Park. At that meeting Cllrs voted unanimously to undertake viability work for the sites to be explored as potential sites for affordable housing and to approve the proposed transfer of 4 sites to Aster Housing Group, subject to planning consent for the development of affordable and social housing. We received a lot of emails and questions from residents and Mendip Cllrs asking what we knew about this and expressing their concerns about the site being developed. All these comments have been recorded. No one at FTC new anything about these proposals.	

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Mendip have since sent a link to an online article published in February 2018 on the Somerset Live website, which referred to the grant money received by Mendip and specifically mentioned Easthill. I do not recall seeing this and I am not sure if any of our Cllrs did.

Following the Cabinet meeting on 2nd November, there was a Mendip Full Council meeting on 3rd November, and some residents requested to speak at this meeting in respect of Easthill, but the Chair declined to take the questions saying they would be referred to the Scrutiny Board meeting.

On 3rd November, FTC hosted a regular meeting of all three tiers of Council, where we expressed our strong disappointment at the way Mendip has dealt with this process with no consultation with us or residents, this view was also shared by the Mendip Cllrs at that meeting who had not been directly involved in the process.

On 9th November, ground works were carried out at Easthill

A statement from the Leader of Mendip District Council, Cllr Ros Wyke was issued saying *“Small areas of vegetation are being carefully cleared in preparation for ground investigation works (soil testing) at Easthill, Frome. The work is being carried out by specialist consultants on behalf of Mendip District Council, on Council-owned land. An ecologist is present on site supervising the activity.*

The site investigations at Easthill are part of preparatory and exploratory work at five Mendip District Council-owned sites identified for the possible delivery of affordable and social housing, subject to planning permission”

The Mendip Scrutiny Board meeting on 16th November, called in the decision by Cabinet on the following grounds specifically relating to Easthill as it contravened the following principles of good decision-making

- proper consultation and the taking of professional advice from officers
- a presumption in favour of openness
- It is not in accordance with the Council’s Budget and Policy Framework

In the Scrutiny report Members set out that they believed the potential impact that development of the Easthill site would have would not be in accordance with the Local Plan Policies

- DP1: Local Identity and Distinctiveness
- DP5: Biodiversity and Ecological Networks,
- DP6: Bat Protection and
- DP8: Environmental Protection.

And that the development of the site would be in conflict with the Council’s Corporate Priorities:

- To build a fairer, greener and more vibrant Mendip that values our distinctive towns and rural communities’,
- To be transparent and open in our decision making, and
- To deliver on our climate and ecological commitment which includes ‘Protect our local ecology and find ways to enhance biodiversity’.

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As a result of this call in, it was agreed that the Cabinet's decision of the 2 November 2020 in respect of Affordable & Social Housing Delivery Programme be referred back to Cabinet for reconsideration.

Unfortunately, residents were not allowed to speak at that meeting either.

The next Cabinet meeting to reconsider Easthill is on 26th November, the accompanying report is available on Mendips website.

In summary, the report sets out-

The call-in has identified the possibility that some members of the public may not have fully understood the precise location of these sites. In addition, the Scrutiny Committee, meeting on 16 November, also suggested that the land at Easthill has issues requiring review in respect of ecology, best value, drainage, consultation and consideration of alternative sites.

It confirms that further reports and surveys will need to be carried out or updated in respect of the above and notes that for suggested alternative sites, (we know that suggestions to use the former TH Whites and Weston Vinyl's sites), they have stated *"Alternative sites in Frome would already have been identified by housing associations and mainstream developers. Those sites that are viable to develop will come forward without the Council's intervention. The Council, particularly given its various statutory duties and the impact of Covid 19, is not in a position financially to acquire land on the open market and develop it for affordable housing"*.

To explain that a bit further, the Land Release Fund from which Mendip received the funding to bring forward affordable housing, is very specific about how the money can be used, which is only on land owned by Local authorities and to help bring sites forward for housing that would not have otherwise been developed, so the grant would not be available for those suggested alternative sites.

We have also asked why the money cannot be used to provide additional affordable housing on Saxonvale, and whilst we have not really had an answer to this, I suspect it will not be able to be used because of the fact that the site would come forward for development anyway, but we will still continue to push for this.

The recommendation of the Cabinet paper, in summary is to either

Transfer all four sites to Aster as previously agreed

Or

Transfer 3 of the sites to Aster and to pause the proposed transfer of land adjoining Easthill Cemetery to Aster to allow time for a review of issues raised by Members.

If anyone wants to speak at the Cabinet meeting on 26th November, they will need to register with the Committee Officer in advance and at the discretion of the Chair will be given 3 minutes to speak.

- We are very aware of the constraints of this site for development including -

All trees on site a covered by a tree protection order, with veteran and notable trees on the site. Flooding issues, valuable ecology, and access issues. There will need to be detailed surveys and reports carried out before any planning application can be considered.

We also know the site is currently protected as an Open Areas of Local Significance, where permission will not be granted for development which would harm the contribution to distinctive local character. The Local Plan Part 2 process proposes to change all OALS to LGS (local green spaces)

However, the designation of the area of land in question was removed in the LP2 although the Cemetery was still included. We did object to this in our response to the

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LP2. I believe that the changes in designations will be removed from the LP2 process as the Inspector did not feel Mendip had done comprehensive assessment of the existing sites. I will get clarification on this point.

Although this is not a planning consideration, a lot of concern has been expressed over the potential loss of this land, as it was understood that it was originally purchased as a future extension to the Cemetery. Easthill Cemetery is the only remaining active Cemetery in Frome where residents can be buried.

In my opinion, since this was first published online in Feb 2018, Mendip have had every opportunity to contact us and residents to have discussions about these proposals. I should emphasise that it is the process of communicating and engaging with FTC/residents that Mendip has failed here and would add that FTC are in favour of more affordable/social housing being built.

Mendip District Councillor Janine Nash confirmed that everything Jane had said is where Mendip District Council are. Janine added that in respect to the other two brownfield sites, just because we have land released funds for the original projects doesn't necessarily mean there aren't other ways to work in partnership with the other two brownfield sites, Public Works money is still available as far as I am aware. I am still hoping that we can have a look at those sites as alternatives. We are not given up and as long as we can prevent Easthill coming forward, that's the plan. There is a core of us who are against this and think that the brownfield sites are better. There are ways that you and transfer the land release funds, there is criteria, but you can apply. I am hoping we can explore that.

Mendip District Councillor Adam Boyden said he has been working for a few weeks on this with Janine, Helen Sprawson White, Drew Gardener and a few others in Frome and the rest of the District. I am concerned of the quality of the habitat and the trees on site, but my main concern is the lack of information in the public domain on the suitability and capacity of the site and environmental constraints. We have had the agricultural report and two or three ecological reports but they are not in the public domain. The Manager of Rodden Meadow nature reserve has been on site as well as Julian Height has been on site and I have circulated their reports to Mendip District Councillors. I wrote the call in request which was successful so we got it to Scrutiny Board where four members of public spoke. It was a unanimous vote to get it back to Cabinet, there is a report with two options. Frome Town Council if agreed should write and support with the reasons why. I am going to keep on working on this to get a better suitability and capacity process and engagement process and for information to be public.

Cllr Anita Collier said she has seen information about the transfer of land being given to Frome. Jane Llewellyn said she completed a land registry search as there were concerns that FTC would be making money, but this is not the case. The land registry deed shows that land is owned by MDC. The issue is that the land was only register 3 years ago and it shows the land being sold by Wainwright in the 1930s. Whether it was owned by someone else between that such as Frome Urban District Council, it doesn't say. We need to see the actual deed and not just the land registry, I believe Paul has asked for it to be shared. It maybe that a covenant is on there or it refers to it being bought for land to be used as a cemetery extension, which is what I have always understood. I believe one of the residents sent us some information to back that up but I would have to look that out.

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Cllr Anne Hills asked what additional information will the cabinet be presented with when they re-visit this decision? Mendip District Councillor Boyden said nothing more at the moment apart from the brief report. The other reports were produced for due diligence for the assets team. There is an argument of how much information should be made public. Mendip District Councillors have been sent reports so they much better informed than last time. Members of the public won't see them but the Mendip District Councillors have.

Andy Jones gave a statement on behalf of Fair Housing for Frome. Fair Housing for Frome is generally supportive of anything that addresses the need for additional Social Housing, but regrets the lack of public consultation in this proposal. There are many better ways to provide affordable housing for Frome, and in particular the decision to perpetuate Mendip's reliance on Aster as a social housing service provider is disappointing, given the opportunity to work closely with FACLT to deliver truly affordable housing in perpetuity. We are also concerned with the choice of a greenfield site in preference to including additional social housing within one of the brownfield sites that are available for development, and in particular do not support the creation of a dedicated social housing community. Our view is that social housing should always be provided as an integrated element of any and all new developments, such as Saxonvale where there is ample opportunity to provide additional social housing.

Simon Bishop had concerns about the designation being removed. He said that it has removed the protection of the site from being developed. He asked who removed the designation? Also the total amount of money MDC have received is £826,000 I think from the funding and a recent report shows around £500,000 spent which leaves around £250,000 unaccounted for. Can that be looked into? Mendip District Councillor Janine Nash that MDC had 250 green spaces allocated in the local plan, the Government Planning Inspector said we had too many green spaces so had to go away and remove some, so in actual fact it wasn't MDC who wanted to remove them it was MDC who wanted to put it on. Cllr Adam Boyden confirmed it was a Local Plan Part 2 Inspector decision.

Cllr Sheila Gore said that there are two things. One is the issues e.g. drainage, flooding, good planning issues. The second is the issue of the process, it seems to be problematic. It is better to separate the two and deal with them separately? Personally I would deal with them separately.

Cllr Rich Ackroyd said that the area was Open Area of Local Significance. The members of the cabinet two of them out of ten are from Frome. I hope that the other eight are fully briefed. Does it have to be 77 houses? Could it be 10 or 15 and maintain the green area on the site? Cllr Adam Boyden said that this would be done at master planning stage but some of this may have been done but none of it has been made public or widely circulated.

Cllr Paul Horton said speaking on behalf of Frome Area Community Trust that we are really keen and focused on bringing social and affordable housing to Frome. But we emphasise on working with the community and making sure we develop in the right place in the right density. We are keen to work with MDC to look at building social housing development on their land.

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	<p>Cllr Andy Palmer said he doesn't understand how this can be a cabinet decision, with regards to the financial value and transferring an asset of this size. Mendip District Councillor Janine Nash replied to say that they tried to get it to Full Council but they were told they couldn't.</p> <p>Cllr Sheila Gore asked if it is a non-starter to increase the social or affordable housing on the Saxonvale development, it has less than both FTC and MDC plan it is designated with 20% but 30% is in the local plan. Mendip District Councillor Janine said to keep pursuing it for sure.</p> <p>Cllr Steve Tanner proposed that as a committee we delegate to Jane Llewellyn to put together a statement, which then myself as Chair and Paul Horton as Deputy Chair will look at to ensure we are happy. It will then be sent to MDC next week.</p> <p>Proposed by Cllr Rich Ackroyd, seconded by Cllr Mark Dorrington, agreed unanimously.</p>	
2020/063P	<p>4 TO CONSIDER THE MAJOR PLANNING APPLICATIONS RECEIVED – APPENDIX 1</p> <p>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.</p> <p>ID 413 - Proposed by Cllr Steve Tanner, seconded by Cllr Sheila Gore, agreed unanimously.</p> <p>ID 422 - Proposed by Cllr Mark Dorrington, seconded by Cllr John Nelson, agreed unanimously.</p> <p>ID 425- Proposed by Cllr Lizzie Boyle, seconded by Cllr Rich Ackroyd, agreed unanimously.</p> <p>ID 426 - Proposed by Cllr Anita Collier, seconded by Cllr Paul Horton, agreed unanimously. Please note Cllr Andy Palmer left the meeting before this vote took place.</p> <p>It was agreed that the response for all of the other applications listed in appendix 1 would be no objections. Proposed by Cllr Sheila Gore, seconded by Cllr Lizzie Boyle, agreed unanimously. Please note Cllr Andy Palmer left the meeting before this vote took place.</p>	
2020/064P	<p>5 DATE OF NEXT MEETING</p> <p>The next meeting will be at 7pm on 10 December 2020. Details to be confirmed.</p>	

The Chair closed the meeting at 8.43pm

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ID	MDC Reference	Address	Ward	Applicant	Description	Planning Officer	Type	Resolved FTC
412	2020/2093/LBC	Oriel Lodge 11 Gentle Street Frome	Frome Market	David Grocott and Bridget Dwyer	Internal refurbishment and repair with minimal change . Demolition of existing outbuilding	Mr Felix Charteris	Listed Building Consent	No objection subject to the comments of the Conservation Officer
413	2020/2070/TPO	14 Bath Street Frome	Frome Market	Mrs Harvey	T1 - Cedar - Remove deadwood & crown lift roadside to 5m and shorten 1x limb over the neighbours hedge by 1m	Mr Bo Walsh	Works/Felling of TPO Trees	No objection, this work needs to be closely monitored, this tree was recently voted for as Frome's favourite tree.
414	2020/2155/TCA	57 Somerset Road Frome	Frome Oakfield	Mr Little	T1. Birch - reduction and end-weight by up to 3m	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
415	2020/2137/HSE	5 Lilly Batch Frome	Frome College	Mr And Mrs Larman	Erection of a single storey side extension.	Charlotte Rogers	Householder Application	No objection
417	2020/2108/LBC	1 Palmer Street Frome	Frome Market	Mr R Findlay	Installation of secure gates at the entrance and retrospective permission to retain and regularise elements of the existing structures within the rear seating area and rationalise the remaining screens to provide discreet screening for the bins and barrels storage. Internally, regularise the relocation of the main bar into the front room on the first floor, the works to the Craft Bar which most notably uncovered the original well, the installation of a new door and repositioning of the 'pizza' kitchen partition. Externally, the extensive plastic/acrylic/vinyl signs will be removed.	Charlotte Rogers	Listed Building Consent	No objection but we are pleased to see the removal of the extensive plastic/acrylic/vinyl signs

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418	2020/2107/FUL	1 Palmer Street Frome	Frome Market	Mr R Findlay	Installation of secure gates at the entrance and retrospective permission to retain and regularise elements of the existing structures within the rear seating area and rationalise the remaining screens to provide discreet screening for the bins and barrels storage. Internally, regularise the relocation of the main bar into the front room on the first floor, the works to the Craft Bar which most notably uncovered the original well, the installation of a new door and repositioning of the 'pizza' kitchen partition. Externally, the extensive plastic/acrylic/vinyl signs will be removed.	Charlotte Rogers	Listed Building Consent	No objection but we are pleased to see the removal of the extensive plastic/acrylic/vinyl signs
419	2020/2102/HSE	19 Christchurch Street East Frome	Frome Market	Ms Gabrielle Mander	Proposed removal of single storey conservatory and erection of single storey rear extension	Mr Josh Cawsey	Householder Application	No objection
420	2020/2088/HSE	84 Westfield Road Frome	Frome Park	Mr And Mrs D. J. Wilkinson	Erection of single storey rear extension	Charlotte Rogers	Householder Application	No objection
421	2020/1917/HSE	27 Beaconsfield Way Frome	Frome College	Mr Scott Williamson	Erection of a single storey rear extension	Charlotte Rogers	Householder Application	No objection

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422	2020/2208/HSE	Midfields 119 Marston Lane Frome	Frome Park	Mr And Mrs R Spear	To replace existing hedge with space boarding fence and faced block wall and piers	Mr Carlton Langford	Householder Application	There is already a problem with visibility at this junction. The container that is currently in the garden is adding to this problem. We ask that SCC highways carefully assesses this application to be sure the new wall and fencing will not further impact visibility
423	2020/2172/HSE	34 Packsaddle Way Frome	Frome College	Mr & Mrs Symes	Re-submission for internal alterations, fenestration alterations and new pitched front porch	Mr Josh Cawsey	Householder Application	No objection
424	2020/2158/HSE	16 Farmhouse Drive Frome	Frome College	Mr and Mrs Norton	Single storey rear extension	Mr Josh Cawsey	Householder Application	No objection
425	2020/1948/FUL	Charles House, R S P C A Eagle Lane Frome	Frome Market	Julius Reed	Change of Use from print studio to Use Class A4 drinking establishment	Mrs Lorna Elstob	Full Application	No objection in principle, however we feel there needs to be a more comprehensive noise impact assessment. There is no indication of a secondary fire escape route

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426	2020/1944/HSE	26 Vallis Way Frome	Frome Market	Miss Yasmin Bennellick	Replacement of window units with double glazed UPVC sash windows and replace door with composite door of similar style.	Mr Josh Cawsey	Householder Application	We are shocked by the current state of the windows and that Aster has allowed this to happen. Aster has a duty of care to the tenants and the building. We fully support the need for replacement windows as a matter of urgency due to the current living conditions of the tenants. However we would prefer to see the use of high quality aluminium rather than UPVC
427	2020/1905/TCA	7 Vallis Road Frome	Frome Oakfield	Mr Greg Wright	Proposed works to tree/s in a conservation area: C1 (Lawson Cypress) - Fell.	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
428	2020/2250/TCA	12 Goulds Ground Frome	Frome Market	Mr Greg Wright	T1 - Goat Willow (GW) - Remove crown and allow to regenerate	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
429	2020/2244/TCA	85 Oakfield Road Frome	Frome Oakfield	Ms Suzanne O'Donovan	T1 - Ornamental Cherry Tree - Fell.	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
430	2020/2238/TCA	28 The Retreat Frome	Frome Keyford	Mrs Jill Wade	T1 Lime - reduce height by 4-5m	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
431	2020/2240/HSE	Kaylow Rosedale Walk Frome	Frome Market	Mr George Chapman	First floor extension to north-west end above existing garage/studio; minor alterations to window location at ground floor of existing north-west elevation; new bathroom window at first floor of north-east elevation	Charlotte Rogers	Householder Application	No objection

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432	2020/2231/TCA	Land At 26 And 28 Weymouth Road Frome Somerset	Frome Park	Mr Phil Shirley	Proposed works to tree/s in a Conservation Area T1 (Yew) Prune. T2 (Yew) - Remove lowest primary limb. T3 (Hawthorn) - Remove to suitable hedge height. Lawson (T4) - Remove top & shape to accomodate service cable. A1 (Mixed species) - Clear area of all trees as dead/dying/of low amenity value	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
433	2020/2294/TCA	North Hill North Parade Frome	Frome Market	Mrs Tamara Webster	T1 - Hazel - Coppice	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
434	2020/2273/DEM	Oriel Lodge 11 Gentle Street	Frome Market	Bridget Dwyer and David Grocott Bridget Dwyer and David G...	Application for prior notification of proposed demolition of existing lean- to building	Mr Felix Charteris	Demolition Notification	No objection