

# Planning Committee Minutes 29- 10 - 2020

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

Date: Thursday 29<sup>th</sup> October 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 and Steve Tanner (Chair)

### In attendance:

Members of the public: 5

Presenters: Jonathan Coombs (Pegasus Group) and Andrew Simpson (NVB)

Mendip District Councillors: John Clarke, Helen Kay, Barry O'Leary and Sara Skirton

Jane Llewellyn, Planning and Development Manager

Hannah Paniccia, Assistant Finance Officer

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

Minute Ref	Agenda Item	Action
2020/054P	<b>1 QUESTIONS, COMMENTS AND INFORMATION FROM THE PUBLIC</b> None	
2020/055P	<b>2 DECLARATION OF MEMBERS' INTERESTS AND TO AGREE THE MINUTES OF THE PREVIOUS MEETING</b> <b>APOLOGIES FOR ABSENCE</b> Cllr Andy Palmer Cllr John Nelson sent his apologies as he left at 20.45pm <b>DECLARATION OF MEMBERS INTERESTS</b> The following Councillors declared interests as they are involved in FRECO, who have been having discussions with Acorn regarding potential renewal energy generation on the Saxonvale site. Cllr Richard Ackroyd - Shareholder Cllr Lizzie Boyle - Director Cllr Mark Dorrington - Shareholder Cllr Sheila Gore - Shareholder  ID 396 - Cllr Paul Horton declared that the applicant is his neighbour. <b>MINUTES</b> The minutes of the Planning Advisory Group meeting held on 8 October 2020 were agreed. Proposed by Cllr Anne Hills, seconded by Cllr John Nelson, agreed unanimously.	
2020/056P	<b>3 TO AGREE A RESPONSE TO THE SAXONVALE ADDITIONAL DOCUMENTS, SUBMITTED 24.09.2020</b> Jane summarised her report ( <a href="https://www.frometowncouncil.gov.uk/wp-content/uploads/2020/10/Agenda-item-4-For-Decision-Saxonvale.pdf">https://www.frometowncouncil.gov.uk/wp-content/uploads/2020/10/Agenda-item-4-For-Decision-Saxonvale.pdf</a> ). I don't have any slides to show you, so I am just going to go through the key points raised in the report. I am going to do this in reverse order from that in the report as I think most of the discussion will be around the viability assessment. Starting with the plan of the live work units. We have said that the plan needs to clearly state the ground floor and first floor will have a separate access and it must be confirmed that no planning permission will be required to switch between uses. Following a conversation with Luke Cleary and Simon Gait of Acorn Property Group this	

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	<p>morning, they have said that both floors have the ability to provide a separate access, but it would be down to the occupier as to where they want those accesses to be depending on how they choose to use the property and that that level of detail is something that would be set out when the detailed reserved matters application is submitted.</p> <p>Then we move onto the Travel Plan, which I said should be published so that it can be coordinated with the existing town and other site allocations, and just to confirm that it has been published, but we would hope that Mendip and County highways will look at the travel plan in this context and that any future monitoring reports are also published. Next we have the Heads of Terms for the S106 legal agreement</p> <p>I have proposed some changes that I think are needed, which I will summarise</p> <p>The financial contributions for both the works to the Gorehedge junction and Garsdale Roundabout should become payable on the occupation of the 100th house (or less) and not on the occupation of the 225th dwelling, because there will be a significant amount of extra traffic by the time 225 dwellings are occupied and we want minimise the impacts of that.</p> <p>I also stated that the wording in the agreement should not tie the final design of the Gorehedge junction works to the indicative scheme for the layout of the junction, because contributions to fully fund the scheme will required from other developments yet to get planning permission, which may take some time. By then opinions and priorities could have changed regarding pedestrians and cyclists to we want to ensure there is some flexibility to allow for this.</p> <p>The provision of the footbridge across to Willow Vale is also proposed to be provided after the occupation of 225 dwellings, we want to ensure that if it is feasible to provide the bridge, that is delivered as soon as possible to encourage people to walk and cycle and to provide access to all to the riverside open space.</p> <p>It is proposed that all contributions that are not spent within 5 years of the s106 agreement being signed, are returned to the developer. This timeframe is too short as it may well take longer than that for sufficient contributions towards the Gorehedge junction to come forward, and I have suggested that this timeframe should be extended to 10 years. And in addition to that if it the feasibility for the footbridge determines that it is not achievable, rather than the contribution for the bridge being returned to the developers, it should be reinvested into cycling and pedestrian schemes to compensate for the loss of the bridge.</p> <p>And lastly the Financial viability assessment</p> <p>I have questioned some of the comparators used I the assessment, for example the potential rent received for the office accommodation is based on accommodation in Bath &amp; Trowbridge and some of the retail units compared are not felt to be a good comparison.</p> <p>I know the Civic Society and Chamber of Commerce have also questioned the accuracy of some of the other costs, including the construction costs and the land value, as I have stated in the report they have also asked that this be looked at by an Independent assessor, so someone who actually understands the viability assessments!. And that the independent assessment is published.</p> <p>I also questioned whether Mendip were applying a premium to the existing land use value, not being an expert in viability assessments this was not clear to me. Following</p>	
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	<p>our discussions with Acorn this morning, they have confirmed that Mendip are not taking a premium from the sale of the site.</p> <p>So, to clarify as this is not really clear in my report, if it is accepted by the independent assessor that the comparators used are acceptable, then the viability assessment demonstrates that Acorn cannot provide the required 30% of affordable housing. However, I don't think we should commit to that until we have seen the independent assessment.</p> <p>I should also clarify that any other receipts that Mendip may get from the development that are not part of the viability assessment are matters outside of the scope of planning. I did however include the issue of Mendips profit in the report, because as stated we feel it is important that any profit is put back into the development so that 30% affordable housing can be achieved. My aim being to prompt discussion around this.</p> <p>I am sure Cllrs and attendees will have some questions, I may not be able to answer them all and you might also feel that after your discussions, the proposed response needs amending.</p> <p>Cllr Ackroyd thanked Jane for the report and said that it summarised everything that they had been discussing and he totally agrees with everything written down in the report. Cllr Hills thanked Jane and said she found it easy to read unlike the viability assessment.</p> <p>Mendip District Councillor Barry O'Leary said that it needs to be remembered that it is Acorn's viability and not Mendip District Council's (MDC). Cllr Boyle asked if MDC has a separate set of information? Mendip District Councillor Barry O'Leary replied to say he is at the meeting as an observer and doesn't have all the information to hand. MDC is the land owner, Acorn are the developers and there is a board which has FTC presence. There is no other viability assessment that is associated with this planning application. All the information that he has the FTC members on the board have.</p> <p>Mendip District Councillor John Clarke said he understood from the S106 agreement that it wasn't being proposed that there should be 80% social housing rent and 20% affordable as in the Local Plan. He can't remember what figure they had proposed, He just wondered if that is correct, in which case should not FTC recommend that any social rented and affordable housing be as in the Local Plan. Jane Llewellyn replied to say that she can't recall what it says either and can certainly go back and can check that. Mendip District Councillor John Clarke said he knows it doesn't say 80% and 20% because he has queried it with the Planning Officer, but he hasn't had a response yet.</p> <p>Mendip District Councillor John Clarke said his understanding is that MDC are conducting their own viability assessment by an independent person, but he hasn't been told if it will be public. Jane Llewellyn said in her experience most viability assessments on applications on this scale are independently assessed and for FTC to be able to see this would be good to give FTC the confidence around the figures. Cllr Ackroyd thanked Acorn for publicising their viability assessment.</p> <p>The recommendation was Cllrs agree the report  <a href="https://www.frometowncouncil.gov.uk/wp-content/uploads/2020/10/Agenda-item-4-For-Decision-Saxonvale.pdf">https://www.frometowncouncil.gov.uk/wp-content/uploads/2020/10/Agenda-item-4-For-Decision-Saxonvale.pdf</a> as a formal response to the additional comments.  Proposed by Cllr Anne Hills, seconded by Cllr John Nelson, agreed unanimously.</p>	
2020/057P	<p><b>4 TO RECEIVE A PRE-APPLICATION PRESENTATION ON PROPOSALS FOR MARSTON LANE, FROME BY THE PEGASUS GROUP</b></p> <p>Jonathan Coombs from Pegasus Group and Andrew Simpson from NVB presented a pre-application for a self-build scheme at Marston Lane for 5 dwellings.</p> <p>Cllr Collier raised two queries, the first one was what requirements would the plot</p>	

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	<p>owners have to build the houses to help them be energy efficient? The second query was if there is any requirement for them to have garden space or are they eligible to build on the whole space? Jonathan Coombs answered that in terms of the format of any detailed reserved matters would be at the reserved matters stage, but it would be likely that it would be agreed at outline stage. Energy features could be set as a condition or within a S106 agreement but that would be negotiated at the application stage. In terms of the garden sizes there are build zones we have come up with, but these are not yet set. There are areas in the development that cannot be built on due to ecology reasons, the trees and these will help set out reasonable garden space.</p> <p>Cllr Dorrington mentioned that the development at Yeomans Lodge shows up on that skyline, it's not unpleasant but you can see it from a distance. So the planting is probably good. His biggest concern is traffic. Marston Lane is becoming more and more of a rat run. If the LVA development happens then this will also contribute to this. Highways will advise on access to Marston Lane but this application is in one house width to Critchill Road itself. There is a concern if the hedgerow is put in as it will be a hindrance to motorists. Jonathan mentioned that the hedgerow will be put behind a new pavement so that will account for visibility splays.</p> <p>Jane Llewellyn said that presumably this is coming forward as an exception site as it is outside of the development boundary so in order to comply to MDC exception policy it would need to be affordable housing but in the Neighbourhood Plan the exception is for self-build being community housing or completed by a land trust. Jonathan said there is a bigger statutory position, the council have a legal duty to provide self-build plots and it is a material planning consideration. There was no affordable housing self-build interest on the register for Frome. Proposing it as a market scheme as a reflection of that. Cllr Horton was surprised that there is no expression of interest for affordable self-build on the register. As a gesture to the town, would you consider one out of five of the houses being affordable? That could be done perhaps by the land being held in trust and the self-build pays ground rent rather than buying the plot. Johnathon said that this would have to be discussed with LVA. They have had professional advice on how to value the land as it would usually be done on similar land sold in the area but there isn't any to compare to. He will ask LVA.</p> <p>Cllr Helen Kay mentioned that the public view is like a public asset so building on the land is privatising the public asset. To compensate for that could the houses be spaced further apart so the view can stay as an asset? Jonathan mentioned that this is something the team have been debating about. They have thought about low level planting. The properties will be residential so he would expect there to be some enclosure to maintain the privacy of the rear gardens.</p> <p>Andy Jones asked who would own and maintain the public open space that is proposed? Jonathon said they envisage a small private management company, whether that would be adopted by MDC and FTC that would be a debate that they would be happy to enter in to. If it was a private management company then it would be secured into a S106 agreement.</p> <p>Cllr John Nelson said he liked the presentation and is in favour of the self-build and the engagement is good that it has gone on for so long.</p> <p>Cllr Steve Tanner thanked Jonathan and Andrew for the presentation and said he likes the self-build.</p>	
2020/058P	<p><b>5 TO CONSIDER THE MAJOR PLANNING APPLICATIONS RECEIVED – APPENDIX 1</b></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 390 - Proposed by Cllr Mark Dorrington, seconded by Cllr Sheila Gore, agreed unanimously.</p>	

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	<p>ID 391 - Proposed by Cllr Sheila Gore, seconded by Cllr John Nelson, agreed unanimously.</p> <p>ID 393 - Proposed by Cllr Steve Tanner, seconded by Cllr Rich Ackroyd, agreed unanimously.</p> <p>ID 394 - Proposed by Cllr Steve Tanner, seconded by Cllr Rich Ackroyd, agreed unanimously.</p> <p>ID 396 - Proposed by Cllr John Nelson, seconded by Cllr Anita Collier. Please note Cllr Paul Horton did not vote on this response due to his declared interest.</p> <p>ID 402 - Proposed by Cllr Rich Ackroyd, seconded by Cllr Sheila Gore, agreed unanimously. Please note Cllr John Nelson left 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 Rich Ackroyd, seconded by Cllr Sheila Gore, agreed unanimously. Please note Cllr John Nelson left before this vote took place.</p>	
2020/059P	<b>6 DATE OF NEXT MEETING</b> The next meeting will be at 7pm on 19 November 2020. Details to be confirmed.	

The Chair closed the meeting at 8.50pm

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390	<a href="#">2020/1949/FUL</a>	16 Westway Frome	Frome Market	Mr Chris Petrie	Creation of a new entrance and fire escape. Addition/refurbishment of windows	Mr James U'Dell	Full Application	We fully support the proposal to utilise the first floor, however the proposed glazed entrance is too big and will have an impact on the adjacent Listed Buildings Ken House and Monmouth House. The proposed cycle storage should be covered
391	<a href="#">2020/1957/LBC</a>	25 Market Place Frome	Frome Market	Fraser Robertson	Change of use for the upper floors to provide a one bedroom and two bedroom residential units and associated works.	Mr Carlton Langford	Listed Building Consent	Objection, we share the concerns of the Civic Society regarding the space standards and the lack of bin storage. We also object to the loss of the railings around the bay window
392	<a href="#">2020/1927/TCA</a>	St Johns Primary School Christchurch Street East Frome	Frome Market	Mr Keith Yates	Proposed works to tree/s in a Conservation Area: T1 and T2 (Hazel) - Fell/Coppice	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
393	<a href="#">2020/1693/DUB</a>	95 Locks Hill Frome	Frome Keyford	Mr James Cain	Erection of 7no dwellinghouses following the demolition of existing building.	Sarah Tucker	Demolition of Unlisted Building in a CA	Object - We were concerned about potential overlooking from the houses at the bottom of the site and the loss of the view across the site from the road. That there is a lack of imagination in the design, we feel the green space is relegated to private backyards and that the view from the front windows would basically be a car park. We would prefer to see something imaginative with road surfaces to make the "road" bit into a shared surface. There is no information about the proposed sustainability measures

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394	<a href="#">2020/1680/FUL</a>	95 Locks Hill Frome	Frome Keyford	Mr James Cain	Erection of 7no dwellinghouses following the demolition of existing building.	Sarah Tucker	Full Application	Object - We were concerned about potential overlooking from the houses at the bottom of the site and the loss of the view across the site from the road. That there is a lack of imagination in the design, we feel the green space is relegated to private backyards and that the view from the front windows would basically be a car park. We would prefer to see something imaginative with road surfaces to make the "road" bit into a shared surface. There is no information about the proposed sustainability measures
395	<a href="#">2020/1998/HSE</a>	38 Weymouth Road Frome	Frome Park	Mr Cuddigan	Filling in of a non-original window on the front facade	Mr Callam Pearce	Householder Application	No objection
396	<a href="#">2020/2081/HSE</a>	6 Beechwood Close Frome	Frome Berkley Down	Ms Sharon Cromie	Erection of 2 storey extension on the rear elevation.	Mr Josh Cawsey	Householder Application	There is the potential for some loss of amenity to next door, but this can only be confirmed whilst on site, so would ask the case officer to assess this on site
397	<a href="#">2020/1980/HSE</a>	3 Foxcote Gardens Frome	Frome College	Mr P and Mrs S Goodland	Erection of a detached garden room, and conversion of the attached garage to form a study/dining room	Charlotte Rogers	Householder Application	No objection
398	<a href="#">2020/1968/DUB</a>	38 Weymouth Road Frome	Frome Park	Ms Cuddigan	Demolition of garage.	Mr Callam Pearce	Demolition of Unlisted Building in a CA	No objection subject to the safe removal of asbestos

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399	<a href="#">2020/2015/LBC</a>	52 Christchurch Street East Frome	Frome Market	Mr Garth Jones	Replacement of 3no. aluminium windows on front elevation with painted timber sliding sash windows in georgian style.	Miss Jayne Boldy	Listed Building Consent	No objection
400	<a href="#">2020/1872/HSE</a>	15 South Parade Frome	Frome Market	Mr and Mrs J Gosling	Erection of a single storey rear extension	Mr Josh Cawsey	Householder Application	No objection
401	<a href="#">2020/1764/HSE</a>	16 Trinity Street	Frome Market	Ms Jill Phillips	Extend ground level area outside backdoor by removing a portion of the raised level, re-building retaining walls and rendering to match existing wall to rear	Miss Jayne Boldy	Householder Application	No objection
402	<a href="#">2020/1727/FUL</a>	Saputo Dairy Uk Marston Trading Estate Manor Road Frome	Frome Keyford	Mr Peter Hindon	Extension to increase size and usability of existing washroom	Mr Carlton Langford	Full Application	Objection - whilst we fully understand the need for improved washroom facilities, but we are concerned about the potential noise impacts on the cottages to the rear so a noise impact assessment should be produced, we would also ask that a conditions is attached to any consent to prevent the area from being used other than a washroom. We are also disappointed over the loss of the trees and would want to see that they are replaced elsewhere with some suitably sized trees, in line with their Environment statement, protecting biodiversity and ecosystems.
403	<a href="#">2020/2085/TCA</a>	Antares 1C The Cedars Frome	Frome Berkley Down	Mr David Nicholson	T1-T4 - Ash - full removal and including stump. T5-Hawthorne - full removal and including stump	Mr Bo Walsh	Works/Felling Trees in a CA	No objection



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404	<a href="#">2020/2068/HSE</a>	1 Upper Whatcombe Frome	Frome Market	mr and mrs James Millbank	Erection of first floor extension	Charlotte Rogers	Householder Application	No objection
405	<a href="#">2020/2119/TPO</a>	Merchants Barton Car Park Merchants Barton Frome B	Frome Market	Idverde	TPO - M150 A1. T1) Poplar spp - Prune to remove 1 x primary branch at 5m, target prune back to main stem. 1x primary branch at 7m, end-weight reduce branch x 3m, pruning back to suitable growth point. T2) Poplar spp - Reduce crown x 3-4m in height/lateral spread, pruning back to suitable growth points. 1 x primary branch failure at 6m. T3) Poplar spp - Reduce crown x 3-4m in height and 4-5m from lateral spread, pruning back to suitable growth points. T4) Poplar spp - prune to remove primary branch at 3m, target prune back to main stem, 1 x primary branch at 3m.	Mr Bo Walsh	Works/Felling of TPO Trees	No objection
406	<a href="#">2020/2109/TPO</a>	60 Oakfield Road Frome	Frome Oakfield	Mrs Suzanne Atkinson	M1295 - T1 - Reduce the height of the sycamore by 3m	Mr Bo Walsh	Works/Felling of TPO Trees	No objection but works need to be carefully considered and monitored by the tree officer

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407	<a href="#">2020/2113/TCA</a>	70 Keyford Frome	Frome Keyford	Lassman	Acer (T1) - Reduce by 50% Willow (T2) - Reduce by 50% Lawson (T3) - Reduce by 50% Laylandii hedge (T4) - Reduce by 50% All overcrowding garden	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
408	<a href="#">2020/2112/TCA</a>	61 Nunney Road Frome	Frome Oakfield	Caroline Toll	Fell T1- Cherry and T2- Pear. Poor specimens overcrowding in garden	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
409	<a href="#">2020/2098/HSE</a>	125 Leys Lane Frome	Frome College	Mr R Charlton	Rear kitchen extension, first-floor side bedroom extension and alterations to porch.	Charlotte Rogers	Householder Application	No objection
410	<a href="#">2020/2072/TCA</a>	2 North Parade Frome	Frome Market	Mr Willcock	T1-T3 Lawson Cypress Reduce by 2-3m.	Mr Bo Walsh	Works/Felling Trees in a CA	No objection
411	<a href="#">2020/2091/FUL</a>	59 Catherine Street Frome	Frome Market	Mr David Durant	Separation of existing retail unit and 1no Ground Floor Flat to include part change of use of residential to retail unit. (with associated internal works only).	Mr Carlton Langford	Full Application	No objection