



Minutes of the meeting of the Planning Committee of Yeovil Town Council held on Monday, 17th January 2022 at 7.00pm at Westlands Entertainment Venue, Westbourne Close, Yeovil BA20 2DD

Present: Cllrs G Oakes (Chairman), J Dash, K Gill, D Gubbins, E-J Hopkins, A Kendall, J Lowery, S Lowery, E Potts-Jones, A Richards, R Spinner and R Stickland.

Also present: Cllrs A Soughton, N Gage, M Lock and J Snell

In Attendance: A Card (Town Clerk), H Ferdinand (Deputy Town Clerk) and L Jones (Administrative Assistant)

There were 165 members of the public present.

2 members of the press were present.

7.02pm – Meeting commenced

Cllr Graham Oakes, Vice Chair of the Planning Committee, opened the meeting by welcoming the public to Westlands Entertainment Venue. In the absence of the Chairman, he stepped up to chair the meeting and asked for nominations for Vice Chair. Cllr R Stickland proposed Cllr S Lowery, and Cllr A Richards seconded the proposal. No other nominations were put forward, so Cllr S Lowery stood as Vice Chair for the meeting.

The Chair then explained that the meeting which is normally held in the Council Chamber of the Town House, had been moved to Westlands Entertainment Venue in order to accommodate the anticipated large number of public attending. He clarified that the meeting was being held to consider the proposed change of use of Acacia Lodge/Hendford Court, Hendford Hill, and that when it was previously considered by the Town Council's Planning Committee in September last year, it was deferred and additional information sought. The Town Council has now been consulted on the additional information that has been provided by the applicant.

He emphasised that the Town Council is just a consultee, and the final decision will be taken by South Somerset District Council. The Chair also drew attention to the fact that some Town Councillors, including some sitting on the Planning Committee, were also South Somerset

District Councillors and sit on the Area South Committee, and they would declare this at the appropriate time during the meeting. He explained that these Councillors were able to speak and vote on the application, but that they could also reconsider it at the District Council's Area South Committee taking into account all relevant evidence and representations made at that time. He advised that although there had been a recent by-election, and Cllr Jeny Snell had been elected, it had been too late for her to be summoned to the meeting and join the Planning Committee. Nevertheless, she was at the meeting and sitting with the non-committee Members, but would not be able to vote.

The Chair continued by setting out the order in which people would be asked to speak. He had read all 655 objections online and had identified potentially 8 or 9 planning reasons for objection, and yet over 20 people had requested to speak. He therefore emphasised that speakers would be limited to 3 minutes each and should avoid repeating the same points. The Chair requested that the people who wanted to speak should come forward and use the microphone on the stand in front of the public seating area. He asked if anyone was recording the meeting, which they were not, and informed everyone that the Town Council was recording it purely for administrative purposes.

10/222 APOLOGIES FOR ABSENCE AND TO CONSIDER THE REASONS GIVEN

Apologies were received from Cllr G Hunting (prior engagement) and Cllr W Read (conflicting engagement).

RESOLVED: To accept the apologies with the reasons given.

10/223 DECLARATIONS OF INTEREST

Cllrs Karl Gill, David Gubbins, Andrew Kendall, Graham Oakes and Rob Stickland are members of South Somerset District Council and whilst they might speak and possibly vote on this application which might be referred to that Council for determination, they would reconsider the application at District level taking into account all relevant evidence and representations made at that tier.

Cllrs A Soughton and M Lock who were in attendance but are not members of the Planning Committee, also declared that they were District Councillors.

Cllr A Kendall declared a personal interest as a family member of his lives near to the application site.

10/224 MINUTES

To confirm as a correct record the Minutes of a previous Planning Committee meeting held on 18th October 2021.

RESOLVED: that the minutes of the previous Planning Committee meeting held on 18th October 2021 be signed as a correct record.

10/225 CONSIDERATION OF PLANNING APPLICATION 21/02466/COU AT ACACIA LODGE, 166 HENDFORD HILL, YEOVIL

The Chair introduced the application to be considered: application no. 21/02466/COU at Acacia Lodge, 166 Hendford Hill for the proposed change of use of the care home to accommodation for people experiencing homelessness.

The Chair invited supporters of the application to speak

H Lazenby (Director, Clive Miller Planning Ltd and agent for the application)

She had attended primarily to listen to the discussions, but also to provide an update since the last meeting. In summary, she made the following points:

- In response to the request for more information many elements of the application had been updated
- She reminded everyone that the proposal was to provide a temporary home for those people in the Yeovil community experiencing homelessness, and it would be the first step in supporting them into independent living and the workplace. It is not intended as a hostel or shelter. All residents would come to it through a referral system.
- Once Acacia Lodge is open, Pathways in Newton Road would close
- Acacia Lodge would provide residents with en-suite rooms, comfortable private space and areas to relax and receive support. Some kitchenettes would be provided, outside recreational space, and the land to the rear is intended to be used for allotments
- In BCHA's experience, providing clusters of accommodation and support services under one roof is key to assisting residents to integrate into the wider community. The more dispersed model of smaller units being suggested by some objectors has been considered but not pursued due to the costs, lack of available properties and due to feedback from other support agencies
- The Service Management Plan for Acacia Lodge takes into account the physical characteristics of the site and location within a residential part of Yeovil. The Plan aims to ensure that residents are respectful of the environment and community, and encourages them to be actively involved in what will be essentially their home and play a positive part in the community
- She recognised there might be the possibility of anti-social behaviour, but this is the case in any residential area. The Service Plan is the main tool to ensure that the fear of crime expressed by local people is appropriately mitigated and managed, and its implementation would be secured by planning condition and subject to regular review by SSDC
- All the additional information has been the subject of review and discussions with the Police. They have not objected to the proposal, and neither have any other statutory consultees.

The Chair then invited people who were objecting to the application to speak

21 members of the public spoke in opposition to the planning application (T Casey, I Rankin, R Bayley, S Chorley, L Wilkes, J Falconer, N Searle, L Thurston, A Rankin, N Beamish, T Cook-Perry, R Beaver, I Haig-Brown, R Tostevin, P Worton, P Skipp, A Beamish, E Wear, M Spicer, H Norris, S Turrell).

In summary, the objectors raised the following concerns:

- Opposition has grown to the proposal since the last meeting. Over 700 objections have been submitted all raising genuine and real fears for the community. Businesses and the local MP have also raised objections, and all promote the use of small residential units to house homeless people, rather than Acacia Lodge which initially would house 39 residents.
- There has been a failure of key Government agencies to look at the issues raised by the application and assess the impact on the wider area. They all fail to provide a genuine assessment of the potential impact on the community and appear to have pre-determined the application.
- The Hands Off Hendford Hill action group has been formed in demand from the objectors to the proposal, and they have worked to investigate the facts.
- They have had discussions with experts and homeless charities all of which agree that a “warehouse full of troubled individuals in a building purpose built for 39 infirm people” is not the answer.
- People who suffer alcohol and drug abuse need targeted and professional medical help which can best be provided in small residential units.
- The proposal does not meet the needs of the community, and does not help the homeless either.
- The revised Management Plan has been only slightly amended and still does not address the concerns raised.
- The agents for the application just re-iterate the issues at Pathways in Newton Road will not be transferred to Hendford Hill, but without any reassurance of how they would prevent this from happening.
- There has been no attempt by BCHA to engage with the community to discuss and address their fears, and they have failed to clarify information.
- BCHA dismiss the issues arising in Newton Road as unfounded, but no evidence has been provided to counter this. It is known that there have been arrests on the residents of Pathways, and only last week the police and riot vans were present in Newton Road. If BCHA cannot control the problems at Pathways, how will they control them at Acacia Lodge?
- The proposed Management Plan focusses on what happens inside the building, and not outside. The ABC (acceptable behaviour contract) added to the Plan is only voluntary and will therefore carry little weight, and will not be enough of a deterrent to deter residents from engaging in anti-social behaviour.
- BCHA is not a fit organisation to manage Acacia Lodge. The Chair stepped in to clarify that this was not a valid planning objection and should not be considered.
- Fear of crime is a key planning matter. There are two key planning considerations contained in local and national planning guidelines: the local plan refers to creating safe

environments and addressing crime prevention and community safety; and the National Planning Policy Framework states that developments should provide safe and accessible environments where crime and disorder, and the fear of crime, should not undermine quality of life.

- The elderly and vulnerable might be the most effected by the fear of crime, and it is already being felt across the community.
- The high level of crime in Newton Road is widely documented using all forms of media, but BCHA claim that the crime is not being caused by Pathways residents. The published police crime figures for post code areas show that 13 crimes per month were consistently recorded in the Pathways post code with anti-social behaviour, public disorder, and violent and sexual offences commonly recorded.
- A Freedom of Information request made in September 2021 to the police listed the number of calls received requesting the police to attend Pathways in Newton Road: 169 in 2018, 206 in 2019, 224 in 2020 & 171 between January and August 2021. A total of 770 calls in the last 3.5 years.
- The action group had carried out a survey of residents and businesses around Pathways. Everyone was in no doubt that Pathways is where the problems originate, and all are sick of having to pay for extra security measures, escorting female staff to their cars, and experiencing the lude and outrageous behaviour they see all too often.
- Councillors are well aware of the issues at Newton Road as it has been discussed at numerous meetings, and the police have been invited and asked what they are doing about it. The police say they are doing all they can with the resources available. Moving the problem to another part of town is not the answer.
- Councillors not only have a duty of care to the homeless, but also the people living and working in the area around Acacia Lodge.
- The CEO of BCHA said at a public meeting that people cannot be stopped from meeting and drinking outside Acacia Lodge, and it was possible that some anti-social behaviour might occur outside the jurisdiction of BCHA. BCHA is clearly unfit to manage the site in Newton Road, and Acacia Lodge would be much larger.
- The CEO of BCHA sited another of their developments in Plymouth, George House, as being effectively managed. George House accommodates 46 residents and is therefore a reasonable comparison to Acacia Lodge. The community wanted to know first hand what George House was like, and therefore a visit was arranged. However, the visit was cancelled, so some residents went there themselves and spoke with local businesses and residents. The situation was bleak, and provided a picture alarmingly similar to Newton Road, and the problems appeared to be getting worse. One resident could not get house insurance because they had been broken into too many times.
- The Police figures for the George House area correlate to those of Newton Road, all of which has substantiated and added to the fear that the community is feeling. It is also evidence that the crimes of Newton Road will be simply transferred to the Acacia Lodge area.
- ABRI has not officially commented, but accept that feelings are running high with their residents. They say they take issues such as anti-social behaviour and crime very seriously as it undermines community cohesion. They take the opposition to the proposal very seriously, and indeed, have a development of their own at Windermere Close, very close by.

- Acacia Lodge was built in 2010 and closed in 2018 after a series of poor CQC management reports. It was not closed because of the lack of need or because of the shortcomings of the facility.
- The proposal is to close the care home despite SSDC recognising in their local plan that the number of elderly will increase in future. Indeed, new care homes are being planned and built within new developments, and an application in March 2018 for a 40 bed nursing home to the rear of Acacia Lodge, and the conversion of Hendford House to 7 apartments, was allowed. Unless Acacia Lodge remains a care home this will never be built.
- The Keyford development also has a large new 65 bed care home proposed.
- Believe Acacia Lodge has not been marketed properly for a reasonable price and time period. It has been overpriced at £2.6m as evidenced because the owners have now agreed a price of £2m. More time is needed (especially given the pandemic over the last 2 years) to market the property at the right price for a care home. The local plan requires 18 months. If SSDC had engaged with the care home providers and offered grants as they have done with BCHA, then the community is confident that the building would have been retained for its original use.
- Acacia Lodge is not empty. It has been used by Yeovil Hospital for extra bedspace in 2020, and is now being used since March 2021 as vital respite care for those with mental health problems.
- The sheer size of Acacia Lodge is contrary to SSDC's own Rough Sleeper Strategy and action plan which clearly states the need for smaller units.
- Concerns are raised that Acacia lodge aims to meet the District provision, rather than just the Town provision, and again, clearly contradicts the Strategy where it is recognised that people should be re-connected back to their home areas.
- The problems associated with Pathways are known to be a hazard to traffic despite there being pavements on either side of the road and it not being a major route. In contrast, Acacia Lodge is close to the Quicksilver Roundabout where the A 37 and A30 meet, both busy feeder routes. Problems originating from Acacia Lodge will occur at the roadside on the single pavement which could cause major problems for traffic and pedestrians.
- The 800 new homes (generating some 1500 new cars) at the Keyford development, together with service and delivery vehicles, will use Hendford Hill and result in further congestion and added disruption from issues arising from Acacia Lodge. This will have a detrimental impact on business and trade in the town.
- The residents of Acacia Lodge will inevitably loiter on the pavement outside which will be a source of danger and fear for all using the single pavement.
- Lovers Lane is proposed as a pedestrian and cyclist route, yet because it is secluded it is highly likely to be used by the residents of Acacia Lodge creating conflicts.
- Acacia Lodge is located in a Conservation Area, yet Hendford House is proposed to be boarded up and the vegetation kept low which will have an adverse impact on the character and appearance of the Conservation Area. Will the requirement to avoid concealment result in the loss of trees in, for example, Lovers Lane and Ninesprings? And if so, this will have a detrimental visual impact on the wider area.
- Also, the proposed high security fencing and lighting will impact on the character and appearance of the Conservation Area.
- The proposal does nothing to mitigate the risks to the Conservation Area and listed buildings arising from the proposal.

- There are 2 listed buildings (public houses) in the vicinity of Acacia Lodge which provide a service to the community by providing places to meet to hold social events, etc. It is
- likely that the disturbance from Pathways residents will have an impact on these businesses and their reputation, and their ability to operate.
- The Quicksilver landlord has already stated that many of his customers have raised concerns about the proposal, and therefore presents a risk to the viability of his business.
- The area around Acacia Lodge is largely residential. The Gryphon School bus stops outside the building, there are care homes and a nursery, and all raise safeguarding concerns as Hendford Hill is used by many children to access these facilities.
- BCHA seeks to encourage residents to stay in Acacia Lodge, but most will walk up and down Hendford Hill to the town centre.
- In the last two years, similar proposals in Wakefield, Sheffield and Stourport-on-Severn have all been refused as they would have undermined quality of life and increase the fear of crime.
- Acacia Lodge is now a registered community asset, and the National Planning Policy Framework advises against the loss of community facilities. This proposal would remove Acacia Lodge is a valued community asset from an ageing community.
- The recreation ground at Arnewood Gardens nearby is to be upgraded, but if residents of Acacia Lodge start to congregate there the children and elderly people for which it is intended would not want to go there.
- Rustywell Lane is a narrow, unmade and unlit lane connecting Hendford Hill and Rustywell Park where locals already experience a fear of crime. There is already a lot of vandalism in Rustywell Lane and Park, and there is trouble every time events take place at the showground. Anyone loitering in the lane in the dark would be very vulnerable.
- It should be noted that the Police and Highways Authority do not object, but they do not approve of the proposal either.
- The Councillors need to know the full effect of the proposals on the neighbours. It is already affecting their physical and mental health, and it is unfair that they have been put in this position. They are afraid of the outcome, especially as it appears their concerns are not being taken into consideration. And nothing in the updates to the application has allayed their concerns; in fact, they have multiplied. They now feel threatened, vulnerable and unsafe in their own homes.
- The First Steps Nursey situated close to Acacia Lodge on Hendford Hill has been open for 30 years, and over 90 families use it. Children with complex needs, learning difficulties, from disadvantaged homes, etc go to the nursery. The manager has been inundated with concerns from parents wanting to know about security at the nursery. Some potential parents have cancelled visits, others that have booked places for September have said they will cancel if the proposal goes ahead. 20 people are employed and they are also concerned. The nursey is an 'outstanding' Ofsted inspected nursery, and they have an 'open door' policy. Parents are encouraged to walk their children to the nursery, and they use all the local facilities, eg. the library, Ninesprings, and visit the care home on West Coker Road. The staff use the PH car park, and they have events in the PH function room.

David Woan, President of the Yeovil Chamber of Commerce, spoke to represent the businesses on Hendford Hill, West Coker Road and Dorchester Road. He had canvassed the businesses,

and all had expressed concerns about the proposal and feel their livelihoods would be threatened. They are the lifeblood of the local economy yet they are living with the constant fear their customers will go elsewhere if the Acacia Lodge proposal goes ahead. Indeed, customers are already saying they would go elsewhere. It is therefore foolhardy to locate such a proposal close to any businesses, whether on Hendford Hill or elsewhere.

The Chair then opened up the discussion of the application to the Town Councillors.

Cllr David Gubbins, Ward Member and District Councillor, said he had read all the additional supporting information which had provided some answers to his concerns, but leaves him with some reservations. Looking at the application it would appear to be the ideal location for this proposal, but believes it is not looking at the evidence from Newton Road. He is keeping an open mind and did not want to comment further to avoid prejudicing himself before the SSDC Area South Committee. He has requested a site visit prior to the SSDC Area South Committee.

Cllr Nigel Gage, Ward Member, said the number one responsibility of any Government is the safety of its people. This also applies to planning decisions which should not endanger the safety of the local community. As a local councillor for the area, he had attended the Buildings and Civic Matters Committees during the last 12 months where there had been discussions about the appalling behaviour seen in Newton Road. With no improvement in the situation, new drinking regulations had been introduced, but the problem had still persisted due to the lack of police resources. CCTV had not reduced the level of violent behaviour in Newton Road. The Government had recently released statistics showing that crimes as a result of drug abuse accounted for 50% of all burglaries, 42% of shoplifting, and 50% of violent acts. Somerset County Council and the local MP do not support the application and recognise that current guidelines recommend small scale provision tailoring specialist help for particular problems. Councillors should support long-term best practice rather than short-term worst practice. Supporting the application would result in serious disorder.

Cllr Evie Potts-Jones, Member of the Planning Committee, firstly declared a personal interest as she knows Mr R Beaver and Mr D Woan who she has worked with in a voluntary and professional capacity. She did not know that they were going to be speaking and so had not declared an interest earlier.

She assured everyone that she had read every available document presented to her. She recognised that SSDC under the Homeless Reduction Act of 2017 has a duty of care to provide people with accommodation if they are homeless. The other positives of the application are:

- The improved quality and size of rooms for residents
- Provision of on-hand support for the multiple needs and circumstances of the occupants
- Building is available and would require minimal change.

The application however, has highlighted that we need clear, local and working preventative measures to address homelessness. She agreed that there was a severe lack of premises available in Yeovil; on a recent check she had found only one "suitable"/available property. She also raised the concern that Acacia Lodge is only being proposed for relatively short-term accommodation, and what happens afterwards?

She recognised the concerns raised by objectors about the impact on the area and the fear of crime. Supporters of the application argue this is motivated by prejudice, yet in the applicant's

own document it refers to a resident falling victim to violence or anti-social behaviour 4 times a month. So based on this alone, the proposal could result in an increase in crime.

High fences, 24hr CCTV etc can all be perceived as indications of expected trouble, or merely precautionary steps. A zero visitors policy also gives cause for concern for external congregation points.

Smaller properties increase the chances of the residents integrating into the community, and can be closer to local support groups.

She noted the nearby businesses, and the single pavement, and the fact it is a Conservation Area; issues that need to be taken into consideration. She had also identified that that 14 months ago SSDC had amended an order which meant that HMOs in the Hendford Hill Conservation Area now require planning permission. This had come into force because of historic applications and the effect of HMOs in the area.

She concluded by saying that she would not support the application as it would be detrimental to neighbouring amenities and the conservation area.

Cllr Roy Spinner, Member of Planning Committee, said he currently worked in the Newton Road area and had witnessed the problems there. He proposed that the committee should object to the application on the grounds of the fear of crime and the detrimental impact on the area and businesses.

Cllr Graham Oakes, Member of the Planning Committee and Chair for the meeting, thanked everyone who had attended as it was important for people to have their say and to be listened to. He recognised that the point made many times about the fear of crime was very real, and he had been touched by some of the comments made by residents, but was concerned as to why people in the area had been made to be so frightened by the proposal noting that often the victims of crime are not necessarily those that fear it. He reminded councillors they had to make the best decision in the interests of everyone involved, including the homeless, and that the fear of crime was relevant in respect of national and local planning policy and was therefore a valid point.

He requested that BCHA should note that a large number of people in the Acacia Lodge area had commented that they would welcome small units in their residential roads. He clarified that house values are not a material planning consideration, and considered the sale of the property was not an issue to be taken into consideration either. He also was of the opinion that there was no evidence to support the claim that people would be moved from around the district to be housed at Acacia Lodge.

He concluded by saying that the number of homeless people is growing, and that something has to be done; it is our duty to care for everyone.

Cllr Roy Spinner proposed, and Cllr E Potts-Jones seconded, to raise an objection to the application on the grounds that the proposed change of use would, a) have a detrimental impact on neighbouring amenities and the Conservation Area, and b) result in fear of crime in the community.

The result of the vote was: 8 votes in support of raising an objection, 0 votes against raising an objection, and 3 abstentions. One councillor did not vote on personal interest grounds.

RESOLVED: to raise an objection to application 21/02466/COU at Acacia Lodge, Hendford Hill, Yeovil on the grounds that the application for the proposed change of use would, a) have a detrimental impact on neighbouring amenities and the Conservation Area, and b) result in fear of crime in the community.

The meeting closed at 8.53pm.

Signed:

Dated:

