

Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 12 March 2024 at 2.00 pm

**Present:**

Cllr Kathy Pearce (Chair)

Cllr Matthew Martin (Vice-Chair)

Cllr Brian Bolt

Cllr Hilary Bruce

Cllr Bob Filmer

Cllr Pauline Ham

Cllr Mike Murphy

Cllr Brian Smedley

Cllr Alan Bradford

Cllr Ben Ferguson

Cllr Tony Grimes

Cllr Alistair Hendry

Cllr Gill Slocombe

**89 Apologies for Absence** - Agenda Item 1

There were no apologies as all members were present.

**90 Minutes from the Previous Meeting** - Agenda Item 2

Resolved that the minutes of the Planning Committee - North held on 13 February 2024 be confirmed as a correct record.

**91 Declarations of Interest** - Agenda Item 3

Councillor Bob Filmer declared an Other Registrable Interest on application 24/23/00016 as he was a Division Member, he had made comment on the Outline application but had made no comment on this application and declared that he had an open mind and had not made any decision and will listen to all the merits of the debate before casting his vote.

Councillor Tony Grimes declared an Other Registrable Interest on application 24/23/00016 as he was a Division Member but had made no comment on application 24/23/00016.

Councillors Bob Filmer and Alistair Hendry declared an Other Registrable Interest as

they were members of an Internal Drainage Board but took no part in discussion on these applications.

**92 Public Question Time - Agenda Item 4**

Details of public speaking are captured under the minutes of the appropriate application.

**93 Planning Application 24/23/00016 Land To The North Of, Old Bristol Road, East Brent, Highbridge, Somerset, TA9 - Agenda Item 5**

The planning officer introduced the Reserved Matters application to the Committee with the assistance of a power point presentation. He provided the following highlights of his written report:

The Reserved Matters application was now for 40 dwellings

The Outline application had been approved by the Planning Inspector, the footpath had been agreed and the separate application for the access had also been agreed. The temporary construction access would be removed once the works had been completed.

The levels of the site would not be increased as previously proposed for flood prevention, instead a new pumping station would be built for foul water with a drainage pond for surface water, with a maintenance gap agreed for the rhyne maintained by the IDB, however the rhyne on the west side of the site would need to be maintained and a condition was proposed

16 units of Affordable Housing had been proposed which reflected the outline permission that sought the erection of up to 40 dwellings and formation of access with some matters reserved, securing 40% affordable housing pursuant to the HNA 2018; ; although it was noted that a more recent housing needs assessment dated 2021 had been undertaken showing that 12 homes were needed. The planning officer confirmed that as a general rule you cannot revisit an extant permission and case law confirmed that quantum is not a consideration under the reserved matters of scale.

Landscaping, open spaces and materials to be used for the dwellings were all confirmed as suitable.

The committee were addressed by 5 local residents against the application. Their comments included:

- No consultation had been undertaken by the applicants
- No mitigation had been provided
- Red line boundary is part of their boundary and not Highways land with no legal right to build a bridge across the rhyne, also footpath land still disputed
- Concerns on flooding in the locality and increase in incidents, pumping

station/private sewerage not consulted on and will also affect neighbouring dwellings

- Would like LEAP to be moved to the centre of the site

The committee were addressed by a member of the Parish Council who disputed that the Affordable Housing should reflect the most recent Housing Needs survey, they also considered that the LEAP be moved to a central location within the site, that the flooding issues and drainage had not been agreed and that the Parish Council had raised a number of issues within their written response to the consultation on this application which hadn't been addressed.

The agent then addressed the committee confirming that 40 dwellings proposed with the 16 Affordable Homes as per the outline application, a S73 application approved the footpath, open space, landscaping agreed as per the consultation responses and the design and appearance reflected the character of East Brent.

Members sought clarification on points raised by the public speakers from the planning officer. It was confirmed that the level of the site would not be raised as proposed previously, with the drainage pump solution for surface water and that the drainage solutions had been agreed with Wessex Water and the Internal Drainage Board. The Construction Management Plan had been agreed by the Developer for the temporary access and this wasn't amended by the Planning Inspector and this had been agreed by a separate application meaning that lorries avoided using Old Bristol Road.

During discussion, Members expressed their views and in response to concerns raised, the planning officer explained the following:

- In respect to the pump and resilience if there was any flooding? This would be adopted by the water company who would need to deal with any issues and that the plans should be submitted before occupation of any dwelling
- The Westside rhyne should be maintained by the landowner and not the IDB and so it was proposed that this was conditioned
- There was on-going discussion about land ownership and it was noted that this had been flagged to the developer
- There had been concerns raised about the amount of affordable housing being provided and the mix, the planning officer reiterated the issue that the reserved matters relating to scale does not determine the quantum of homes which was supposed by caselaw. This was a matter for the outline permission. The mix was dealt with in the S106 Agreement to the outline permission the affordable housing and that the mix of dwellings were as per the Housing Needs Assessment. Members also queried the siting of the affordable housing as the dwellings were in large clusters, however it was explained that

the providers requested the properties were together for maintenance purposes.

Following much debate, Councillor Bradford proposed that the application be deferred to confirm support from the Affordable Housing Team for the application as submitted and also for the position of LEAP to be reviewed, this proposal was seconded by Councillor Bruce.

Councillor Hendry then proposed that the recommendation to Approve the application subject to an additional condition relating to the maintenance of the rhyne on the west side of the site, this was seconded by Councillor Slocombe.

When the first proposal for Deferral was put to the vote, it was supported and therefore the second proposal for Approval was not actioned.

Resolved:

That planning application 24/23/00016 Land to the north of Old Bristol Road, East Brent, Highbridge be Deferred to allow for the confirmation from the Affordable Housing officers that they were supportive of the application and consider location of affordable housing within the site; also for a review of the LEAP to a more central position within the site.

(For 8, Against 5)

**94 Planning Application 21/23/00013 26 Church Lane, Compton Bishop, Axbridge, Somerset, BS26 2HB - Agenda Item 6**

The planning officer introduced the application to the committee with the assistance of a power point presentation. She confirmed that an additional reason for the referral to committee by the parish council was due to the potential impact on the Mendip Hills AONB. It was noted that traditional materials would be used and that there would be no overlooking of adjacent dwellings. Additional parking would be created and there were no adverse impacts on the highway; conditions were agreed to mitigate any ecology issues.

The planning officer responded to questions from the committee and confirmed that the change of use of the land had been in place for some time and that no enforcement action had been taken, it was also confirmed that there was no other option for the placing of the garage due to the siting of the septic tank and trees on the land.

It was proposed by Councillor Hendry that the application be approved and Councillor Martin seconded the proposal.

Resolved:

That planning application 21/23/00013 26 Church Lane, Compton Bishop, Axbridge  
be Approved with conditions as detailed within the agenda report.

(Unanimous)

**95 Planning Appeals Decided - Agenda Item 7**

The committee noted the Planning Appeals Decided report submitted with the  
agenda.

**(The meeting ended at 4.20 pm)**

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**CHAIR**