

Minutes of a Meeting of the Planning Committee - East held in the Council Chamber, Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT, on Tuesday, 3 September 2024 at 2.00 pm

**Present:**

Cllr Nick Cottle (Chair)  
Cllr Edric Hobbs (Vice-Chair)

Cllr Barry Clarke  
Cllr Martin Dimery  
Cllr Bente Height  
Cllr Tony Robbins  
Cllr Rob Reed

Cllr Dawn Denton  
Cllr Susannah Hart  
Cllr Martin Lovell  
Cllr Claire Sully

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

**0**

It was noted that Councillor Helen Kay was on a leave of absence. Councillor Michael Dunk was her substitute. Councillor Adam Boyden had sent apologies and Councillor Simon Carswell was his substitute.

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

**1**

The Committee was asked to consider the Minutes of the meeting held on 6 August 2024. Councillor Bente Height proposed and Councillor Martin Lovell seconded that they be accepted as a true and accurate record and were approved.

The Team Leader – Development Management explained about the reasons for refusing Land south of Fossefield Rd that if members approve the minutes, they are approving the reasons given for refusal.

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

**2**

There were none.

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

**3**

There were none.

**20 Planning Application 2024/0800/FUL - South Hayes, Bristol Road, Ston  
4 Easton, Radstock, Somerset - Agenda Item 5**

The Officer's Report stated that this application was a retrospective full planning application and had been referred to the Planning Committee as the recommendation of the Planning Officer for refusal was contrary to that of the Parish Council, which supported the application.

The Officer's Report continued that South Hayes lies outside the development boundary and was therefore considered to have a countryside location. This application was for the conversion of an existing garage into a holiday let to provide accommodation for up to 4 guests. The existing vehicular access off Bristol Road was shared between holiday let customers and the residents of the host property. There were 2 parking spaces provided for the occupants of the holiday let.

The Officer's Report concluded that the proposed use of the existing garage building within the rear garden represented an unacceptable pattern of use given the constraints of the application site. The proposal did not represent sustainable development by virtue of its distance and poor accessibility and connectivity to local services and facilities. Any limited economic benefits that could be attributed to the pattern of use of the lawful garage building as tourist accommodation associated with this development would not outweigh the harm identified and therefore the recommendation was for refusal.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The applicant was then invited to speak by the Chair. Her main points were:

- Changed family circumstances have meant that the original use of the building had to be adapted for use as a wheelchair friendly space for herself and her mother.
- The income from the holiday let is vital as she is unable to work due to her health.
- Her neighbours are in full support of the change of use as is the Parish Council.

In the discussion which followed Members were supportive of the applicants need for an income and also to utilise the space in a useful way. However, the Planning Officer pointed out that as the application had been for a holiday let, that was what would need to be decided upon. The applicant could re-apply for a different type of application. Officers would be able to give her some advice on this. One proposal to defer was withdrawn after the Planning Officer explained that a deferral would not be suitable and that it would be better for the applicant to re-apply.

At the conclusion of the debate, it was proposed by Councillor Bente Height and seconded by Councillor Simon Carswell to refuse the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 9 votes in favour and 4 votes against.

### **RESOLVED**

That planning application **2024/0800/FUL** be **REFUSED** in accordance with the Officer's recommendation.

**Votes – 9 in favour, 4 against**

## **20 Planning Application 2024/0670/HSE - 95 Wookey Hole Road, Wells, 5 Somerset - Agenda Item 6**

The Officer's Report stated that this application had been referred to the Planning Committee as the recommendation of the Planning Officer for approval was contrary to that of the City Council, which did not support the application as they felt the proposal was overbearing and would cause a loss of privacy.

The Officer's Report continued that the application was within a residential area of Wells and had an extensive garden to the rear and one to the front of the property. The applicant was seeking consent to construct a single storey extension to the rear of the property to provide additional accommodation. It would use matching external materials in terms of brick and concrete tiles and involved the installation of 3 windows to the east.

The Officer's Report concluded that the design and materials proposed were acceptable. There would not be a significant loss of light or significant overbearing impact of neighbouring properties and parking provision was sufficient. The recommendation was therefore for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The agent for the applicant was then invited to speak. His main points were:

- There is ample parking space to support an additional bedroom.
- The material finishes will match the existing dwelling.
- No loss of privacy for the direct neighbours.
- The size and scale of the extension will not go beyond the build line of the neighbouring properties.

In the brief discussion which followed Members noted that the scale of the proposed extension was the same as one neighbour, and slightly larger than the other, therefore was not out of keeping. It was hard to find a reason for refusal or to support the objections from Wells City Council.

At the conclusion of the debate, it was proposed by Councillor Susannah Hart and seconded by Councillor Edric Hobbs to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was approved unanimously.

## **RESOLVED**

That planning application **2024/0670/HSE** be **APPROVED** in accordance with the Officer's recommendation.

## **Votes - Unanimous**

### **20 Planning Application 2023/1779/FUL - Land at Burcott House Farm, 6 Pennybatch Lane, Burcott, Wells, Somerset - Agenda Item 7**

The Officer's Report stated that this application had been referred to the Planning Committee as the recommendation of the Planning Officer for refusal was contrary to that of the Parish Council, which supported the application.

The Parish Council were supportive as they felt the dwelling would not have an impact on visual amenity, there would be little passing traffic and it would provide accommodation for a 4th generation family to work on the farm.

The Officer's Report continued that the application was outside the settlement limits in open countryside and was for the erection of a dwelling and garage. It went on to say that a previous outline application on the site was refused and dismissed at appeal. A further previous application had also been refused. This current application was the same as the previous one but sought to address the previous reasons for refusal. However, it was considered that the principle of a dwelling in this location did not accord with the development plan and the Officers recommendation was for refusal.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were two speakers in support of the application. One from the Parish Council and the other was the applicant. Their main points were:

- The dwelling wouldn't be visible and would replace an area of land where agricultural equipment is currently stored.
- The site is within walking distance of bus stops and a community shop, café and pubs.
- The nearest properties are between 50 and 200 metres away, so not in open countryside.
- Living on the farm would enable the applicant to maintain the welfare of the animals when care could be needed throughout the night.

In the discussion which followed Members acknowledged the need and wishes of the applicant to live on the family farm and bring up his family there. They noted the reasons for refusal provided by the Planning Officer but considered that the site was close to other developments and farms generally are in open countryside out of necessity. They acknowledged previous reasons for refusal had largely been overcome. However, they were confused as to the reasons that an agricultural tie had not been applied for. The Planning Officer confirmed that it would be possible to defer the application and ask the applicant to re-submit it against policy DP13 to include an agricultural tie.

After a vote to approve the application, contrary to the Officer's Recommendation was not carried, it was proposed by Councillor Susannah Hart and seconded by Councillor Nick Cottle to defer the application for 2 months, contrary to the Officer's recommendation, to allow the applicant to resubmit their application to include an agricultural tie.

On being put to the vote the proposal was approved unanimously.

## **RESOLVED**

That planning application **2023/1779/FUL** be **DEFERRED** for 2 months, contrary to the Officer's recommendation, to allow the applicant to submit additional information to determine if it could be considered favourably as an agricultural dwelling under DP13.

**Votes – 10 for, 2 against, 1 abstention**

### **20 Planning Application 2024/0511/FUL - 22 Frome Road, Beckington, Frome, 7 Somerset - Agenda Item 8**

The Officer's Report stated that this application had been referred to the Planning Committee as the recommendation of the Planning Officer for approval was contrary to that of the Parish Council, which did not support the application.

The Officer's Report continued that revised plans had been received during the life of the application which reduced the size of the first floor level following comments from the Conservation Officer. Revisions to the access were also submitted following comments from Highways. These revisions provided greater width at the access point with Frome Road to allow vehicles to pass.

The concerns of the Parish Council included the design was out of character with the conservation area and nearby listed buildings, the potential impact on wildlife, and overlooking into a neighbouring garden. There had been 6 letters of objection from local residents.

After a full assessment, the Officer's Report stated that it was not considered that the redevelopment of this site would result in harm to the setting Conservation Area or the nearby listed buildings. Also given the design, scale, massing, and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, odour, traffic, or other disturbance. The recommendation was therefore for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were two speakers in objection to the application including the Parish Council. Their main points were:

- Loss of privacy and overlooking into the garden of the adjacent property.
- The proposed planting scheme to screen the overlooking will diminish the amount of sunlight in the neighbouring garden.
- The proposal would compromise the one house deep character of Frome Road.
- Neighbouring grade 2 listed buildings will be impacted.
- The modern style is inappropriate in the conservation area.
- There will be an impact on wildlife as habitat is a home for grass snakes, adders and slow worms.
- Parking and traffic congestion is likely, particularly at school-run times.

The agent for the applicant was then invited to speak. Her main points were:

- Site is within the development boundary of Beckington and is a highly sustainable location.
- As there is a lack of five-year housing land supply, significant weight should be given to new housing applications.
- The dwelling will not be visible from the public realm and is a high quality, contemporary development.
- The tall boundary wall separates the site from adjacent listed buildings and the character and appearance of the conservation area is preserved.
- The dwelling will be set sufficiently away from number 18 so no significant overlooking will occur in this property's garden.

In the discussion which followed Members made the following comments:

- The proposal is too big. There is a need to provide homes to enable people to stay in their communities, but infill sites should be limited in size.
- There would still be overlooking into a substantial part of the neighbour's garden.
- The Conservation Officer was initially concerned about the impact on the setting of the Baptist Church.
- Conservation areas should be respected. The proposal will have an impact on the listed buildings, the heritage area and the look of the conservation area.
- Concerned about the potential harm to the wildlife population.

The Planning Officer reminded Members that when assessing the impact on the heritage asset, the technical consultee had not identified any significant harm. This is an important consideration due to the lack to our 5-year housing land supply problem so Members must identify significant and demonstrable harm.

Councillor Dawn Denton said that the amenity and occupiers of the neighbour's garden at number 18 would be impacted and that the overall size, style and design

was detrimental and harmful to the character and appearance of the area and to the listed buildings, and these were significant and demonstrable.

At the conclusion of the debate, it was proposed by Councillor Dawn Denton and seconded by Councillor Bente Height to refuse the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 7 for, 4 against and 2 abstentions.

## **RESOLVED**

That planning application **2024/0511/FUL** be **REFUSED** contrary to the Officer's recommendation, as the size, style, scale and design of the scheme was detrimental to the character and appearance of the area generally and the setting of neighbouring listed buildings within the locality of the application site. Harm to the amenity of the occupiers of the neighbouring property at number 18 in terms of their enjoyment of their garden was also identified. The harms identified were considered to be significant and demonstrable.

**Votes - 7 for, 4 against, 2 abstentions**

### **20 Planning Application 2024/0560/FUL - 22 Frome Road, Beckington, Frome, 8 Somerset - Agenda Item 9**

The Officer's Report stated that this application had been referred to the Planning Committee as the recommendation of the Planning Officer for approval was contrary to that of the Parish Council, which did not support the application.

The Officer's Report continued that the application was for full planning permission for the erection two dwellings (each with 4 bedrooms) with parking provision and a detached double garage to the rear. The accommodation would be set over three floors however the properties would appear as two storey with roof lights, when viewed from the highway to the front.

Revised plans had been received during the life of the application which showed a slight relocation of both of the properties back from the road side and a reduced number of front facing roof lights following comments from the Conservation Officer. Revisions to the access were also submitted following comments from Highways.

The concerns of the Parish Council included the development was overbearing and



considerably larger than the existing dwelling. The height would allow overlooking into properties at No. 18 and 20. There would be impact on nearby listed buildings and it was not in keeping with the conservation area. There had been 7 letters of objection from local residents.

After a full assessment and taking all the objections into consideration, the Officer's Report concluded that the application was considered acceptable and was therefore recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were 3 speakers in objection to the application including the Parish Council. Their main points were:

- Concerns about overshadowing and overlooking.
- The scale of the proposed properties are far too large and there will be impact on the historic village centre and 8 nearby listed buildings.
- The village is already suffering from sewerage and drainage problems.
- A smaller scale application for the site would be welcome.
- The proposed dwellings are inappropriate and are out of keeping with the neighbouring properties and the conservation area.

In support of the application the applicant's agent made the following comments:

- The site is within the housing development boundary of the village and as the principle of development is acceptable, significant weight should be given to the need to boost the housing land supply in an sustainable location.
- The building to be demolished has been identified by the Beckington Conservation Appraisal as a negative building.
- The replacement buildings will replicate features of neighbouring buildings and will use materials to match the hues of local buildings.

Members were again concerned with the size of the proposed dwellings, saying they were out of keeping with the conservation area. They were sympathetic with the concerns of the neighbours and Parish Council and recognised the potential problem of highway congestion and parking particularly during school pick up and drop off times. Although the proposal was to replace an unsightly empty house, the development needed to be sensitive to the local context, the listed buildings and the conservation area.

There was significant and demonstrable harm, caused by the over development of

the site, the impact on the street scene and the proposed materials. Also due to the scale, siting and design, the impact on neighbouring properties, particularly no. 20, was also deemed to be unacceptable.

At the conclusion of the debate, it was proposed by Councillor Michael Dunk and seconded by Councillor Dawn Denton to refuse the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 7 votes for, 3 against and 3 abstentions.

**RESOLVED**

That planning application **2024/0560/FUL** be **REFUSED** contrary to the Officer's recommendation, as it represented over-development of the site and given the overall scale, siting, design and materials proposed for the two dwellings the impact on the Conservation Area and neighbouring listed buildings within the locality of the application site was unacceptable. Harm to the amenity of the occupiers of neighbouring properties particularly number 20 was also identified as a negative impact. The harms identified were considered to be significant and demonstrable.

**Votes – 7 for, 3 against, 3 abstentions**

**20 Appeals Report - Agenda Item 10**

**9**

The report of decisions made by the Planning Inspectorate between 24 July and 19 August 2024 was noted.

**(The meeting ended at 5.30 pm)**

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**CHAIR**