

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 14 November 2023 at 2.00 pm

**Present:**

Cllr Peter Seib (Chair)

Cllr Steve Ashton

Cllr John Bailey

Cllr Sue Osborne

Cllr Mike Stanton

Cllr Henry Hobhouse

Cllr Tim Kerley

Cllr Evie Potts-Jones (from 4pm)

Cllr Richard Wilkins

**In attendance:**

Cllr Nicola Clark

Cllr Andy Soughton

Cllr Tony Lock

**Other Members present remotely:**

Cllr Andy Kendall

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

Apologies were received from Councillors Jason Baker, Mike Best, Oliver Patrick, Jeny Snell and Martin Wale.

It was noted that Councillor Mike Stanton was attending as substitute for Councillor Mike Best and Councillor Richard Wilkins was attending as substitute for Councillor Oliver Patrick and Councillor John Bailey was attending as substitute for Jason Baker.

At the start of the meeting Councillor Peter Seib as Chair proposed to the committee that Councillor Richard Wilkins be Vice- Chair for the duration of the meeting. This was unanimously agreed by the committee.

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

Resolved that the minutes of the Planning Committee - South held on 24<sup>th</sup> October 2023 be confirmed as a correct record.

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

Councillor Sue Osborne declared a personal interest in Item 5 Planning Application 18/01311/OUT as she is the Divisional member.

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

There were no questions from members of the public.

**41 Planning Application 18/01311/OUT - Land OS 4538, The Pound, Broadway Road, Broadway, Ilminster. - Agenda Item 5**

The Planning Officer introduced the application to the committee with the assistance of a powerpoint presentation. She explained the background of the application and the reason why it had again been brought back to committee due to a challenge from Broadway Parish Council and specifically to address those concerns. A copy of the original 2019 committee report was also appended within the agenda for completeness.

She clarified this was an outline application with all matters reserved except for the consideration of access. She referred to the key considerations from the original application and confirmed that the recommendation was the same as the two previous conditionally approved applications.

She proceeded to detail the reasons for approval and various planning obligations required along with the conditions listed within the report and highlighted what key considerations had changed since the 2019 resolution including:

- Council's lack of five-year housing land supply.
- Phosphate mitigation solution agreed.
- First homes requirement has come into force - now included.
- Update to recommendation to reflect and minor tweaks.

A member of the public addressed the committee and spoke in objection to the application. Some of his comments included:

- Raised concerns regarding the landscape impact and loss of open space.
- The scheme would result in a large block of mixed housing in an otherwise linear pattern and is therefore out of keeping with the village setting.

- Application does not address the issues previously raised from the Landscape assessment in 2019.
- The application should be amended to further address these issues before the application is considered.

A representative from Broadway Parish Council addressed the committee. He voiced his disappointment regarding the lack of information and assurance regarding the flooding concerns of the village and its residents. He said the issues around the sewerage system in Broadway remain unresolved and that this application will only exacerbate the pollution and contamination in the village. He said that the application should be deferred until the report from Wessex Water had been received.

The Applicant then addressed the committee. Some of his comments included:

- This was a high-quality scheme that they had been working on since 2017 and were committed to delivering.
- Scheme had already been approved twice and that this application had only once again been brought back to committee solely for legality reasons.
- Scheme delivers many benefits including a contribution to the housing number and delivery of affordable housing.

A representative from Wessex Water, who attended the meeting virtually, responded on the points raised by the public speakers and questions raised by members around the recent meeting associated with the issues in Broadway and the development of this site. She explained the statutory requirements and ongoing improvements to the local network and water recycling scheme and the aspiration to work with the parish council and existing households to help utilise and realign the foul sewerage system in the area.

The Lead Specialist acknowledged the concerns raised by the local residents and the need to upgrade the foul sewerage system however this development was not deemed to have a significant impact on the current system and noted that all other issues had been addressed.

The Legal Officer clarified to members the reason why this application had been brought back to committee was for completeness to ensure that all information had been detailed to enable full consideration of the application.

During a short discussion, members accepted the concerns raised regarding the foul sewerage system however welcomed the delivery of affordable housing. It was then proposed by Councillor Tim Kerley and seconded by Councillor Peter Seib to approve the application, as per the officer recommendation detailed in the agenda

report. On being put to the vote, this was carried by 6 votes in favour, 0 against and 2 abstentions.

**RESOLVED:**

That planning application 18/01311/OUT for outline planning application with all matters reserved aside from access for the erection of up to 35 dwellings and associated works (resubmission of 17/04239/OUT) at Land OS 4538 The Pound, Broadway Road, Broadway, Ilminster Somerset be APPROVED, subject to the prior completion of a section 106 planning obligation and the imposition of conditions as per the officer recommendation as detailed in the agenda report.

(voting: 6 in favour, 0 against, 2 abstentions)

**42 Planning Application 22/03560/OUT - Land OS 6975, South of Bowden Road, Templecombe.** - Agenda Item 6

The Planning Officer introduced the application to the committee and with the aid of slides gave a comprehensive presentation and highlighted in detail the site and proposed plans including:

- Confirmed that this was an outline application with all matters reserved except for access.
- Proposed pedestrian and cycleway links and proximity of local facilities.
- Proposed landscaping strip.
- For clarity showed a detailed site plan splitting the site into 3 fields to help and show proposed development in each.
- Detailed drawings of proposed access from Bowden Road.
- Network of footpaths in area and photos along each.
- Gradients of the site.
- Highlighted areas of the site safeguarded for Class E/F1/F2 uses and clarified these uses by referring to the current Use Classes Order.

He proceeded to detail the reasons for approval and various planning obligations required along with the conditions listed within the report and highlighted the key considerations. His comments in summarised form were:

- Principle of Development – Referred to relevant planning policy and explained why in policy terms the application met these requirements, including the Council's lack of 5 year land supply and explained the 'tilted

balance' and benefits of the proposal. He also confirmed that Counsel legal opinion had been sought about Local Plan Policy SS2 in particular and explained the history of other nearby site at Manor Farm and why that appeal had been dismissed.

- Visual amenity – Council Landscape consultant acknowledged some harm, but site already influenced heavily by adjacent housing, no objection raised.
- No objections had been raised from the statutory consultees regarding access and highway safety, flooding and drainage, ecology, archaeology/listed building or loss of agricultural land.
- Residential Amenity – although acknowledged some harm would result, reference was made to a proposed 5m landscape strip along northern boundary and the matters of layout, siting, heights and massing of dwellings would be considered at the detailed application stage and not as part of this outline application.

He also referred to the local concerns raised regarding the Foot and Mouth Disease burial site and potential damage to human health. He explained that the applicant had commissioned a geo-environmental and geo-technical site investigation and explained that advice was sought from Natural England, Environment Agency and the Council's Environmental Health and summarised the advice given.

In conclusion he referred to the benefits and dis-benefits of the application and that the recommendation was for approval for the reasons as detailed in the agenda report.

Five members of the public addressed the committee in objection to the application. Some of their comments included:

- Inappropriate number of housing which represents overdevelopment in a rural setting.
- Infrastructure and sewerage system already under strain.
- Concern for flooding in the area and water run off.
- Road is very narrow with limited visibility and therefore a danger to highway safety for car and pedestrian users as there is no footpath along Bowden Road.
- Clarity was still required regarding the concerns of contamination and pollution of water supply from foot and mouth burial site.
- The surrounding roads will not cope with additional access and increase in traffic.
- Inappropriate proposed access and footpath provision to local schools, employment or local facilities.
- There is no demand for additional housing in Templecombe.
- Cumulative impact has not been considered given the number of nearby

planning permissions already approved in the area.

- Local concerns and parish council objections should be taken into account.
- Residents have a right to a safe and secure life and further development would see a huge impact on the stress and mental well being of the local community.
- Would destroy the ancient land and wildlife that resides in these fields.
- Would have a significant impact on the views and landscape of the local area and destroy the old hedgerows which are important to protect.

A representative from Abbas and Templecombe Parish Council addressed the committee. Some of her comments included:

- Overdevelopment of housing in what is a rural settlement.
- The cumulative impact of this and other developments already approved within the village will have a significant impact on the village and surrounding highways and therefore considered to be disproportionate growth.
- There is no demand for further housing in Templecombe with new homes already built not yet occupied.
- This development is neither in the right place nor at the right time.
- With no public transport questioned the sustainability of the site.

Councillor Nicola Clark, Divisional member addressed the committee and voiced her objection to the application. Some of her comments included:

- Raised safety concerns for users along Bowden Road which does not have any pavements and with the loss of the bus services this will create an increase in reliance on cars.
- The cumulative impact of this and other developments already approved within the village.
- Raised concerns regarding the contamination and pollution of the water supply associated from the foot and mouth burial site. She noted the risk was not zero.
- The development would pose a threat to the ecological balance of the site.
- The local infrastructure was already under strain.
- The wellbeing and safety of the residents is not being taken into account.
- There is no specific local requirement for this housing.

The Agent also addressed the committee. Some of her comments included:

- Highlighted that there was a housing land supply shortage.
- Located within a defined rural settlement with local facilities.
- Scheme would provide 35% affordable housing with expansive open space and deliver high quality development that would complement the surroundings.
- Would provide financial contribution to local education and facilities.

- Noted no objections from statutory consultees.
- In accordance with planning policy and provide a valuable contribution to much needed housing.

In response to points of detail and technical questions raised by the public the Planning Officer explained that consultation had been sought from the relevant consultees regarding drainage, contamination, and ecology and that none had recommended refusal, but that appropriate conditions would be imposed that met the recommendations of these consultees.

The Environmental Health Officer explained the consideration given to this application and concluded that the risk associated was extremely low. He also advised on the contamination of land and future liability and confirmed that a condition is imposed to ensure responsibility to the developer to mitigate any issues should contamination be positively identified in the development of the site.

The Highways Officer also explained in detail the consultation process regarding this application. He felt that the impact on the road network was not severe and as such were not in a position to raise objection or to require the developer to provide additional footpath provision.

In response to members questions the Planning Officer also advised that:

- This application should be considered on its own merits and not with regard to the cumulative impact of other developments within the area.
- Acknowledged previous appeal decisions at Manor Farm and in Henstridge and although members may have some regard to these appeals in terms of consistency in decision-making, should consider this application on its own.
- Clarified the footpaths from the site and suitable walking routes.
- Members should base their decision on the actual policy wording of the local plan.

During discussion members made comments including the following:

- Voiced their sympathy to the residents of Templecombe and felt this was possibly overdevelopment. However due to the lack of the five year housing land supply cannot refuse for planning policy reasons and believe this would be lost at appeal.
- Believe the phosphates regulations may have stopped permissions being approved in areas more appropriate.
- Acknowledge the issues raised but believe the detailed conditions and pre-commencement conditions imposed help address the concerns raised by the local community.

It was then proposed by Councillor Peter Seib and seconded by Councillor Mike Stanton to approve the application, as per the officer recommendation detailed in the agenda report. On being put to the vote, this was carried unanimously.

**RESOLVED:**

That planning application 22/03560/OUT for outline planning permission with all matters reserved except for access, for up to 140 dwellings (use class C3), public open space, landscape planting and biodiversity enhancements, vehicular access from Bowden Road, community use (flexible use class E, F1 and/or F2), and associated infrastructure works at Land OS 6975, South Of Bowden Road, Templecombe, Somerset be APPROVED, subject to the prior completion of a section 106 agreement and the imposition of conditions as per the officer recommendation as detailed in the agenda report.

(voting: unanimous)

**43 Appeal Decisions (for information) - Agenda Item 7**

Members noted the appeal decisions.

**(The meeting ended at 4.28 pm)**

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**CHAIR**