

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, 1 October 2024 at 2.00 pm

**Present:**

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

Cllr Barry Clarke	Cllr Martin Dimery
Cllr Susannah Hart	Cllr Helen Kay
Cllr Martin Lovell	Cllr Tony Robbins
Cllr Claire Sully	

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

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Apologies had been received from Councillors Adam Boyden, Dawn Denton, Bente Height and Rob Reed. Councillor Philip Ham was present as substitute for Councillor Denton.

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

**1**

Minutes from the previous meeting held on 3 September 2024 will be considered at the next Planning East Committee.

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

**2**

Councillor Philip Ham declared an interest in Agenda Item 8 - Planning Application 2024/0334/REM, as a family member lives on the estate.

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

**3**

There were none.

The Chair advised that Agenda Item 10 – Appeals Report would be brought forward before the Planning Applications were heard.

**21 Planning Application 2023/1635/FUL - Land Southeast of The Brambles,  
4 Higher Brooks, Street, Somerset - Agenda Item 5**

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 objected to the application.

The Officer's Report continued the site was located outside the development boundary and within the Somerset Levels and Moors Ramsar Risk Area. The application was for the erection of a 4-bedroom house with a parking area to the front and would be finished in natural stone and render, with a slate roof.

Street Parish Council objected to the application due to its design and appearance, the impact on visual amenity, layout and density and highway safety.

The Officer's Report concluded that although outside the settlement limits, the site was relatively close to the services and facilities within Street and set between existing housing, therefore it could not be described as isolated or in an unsustainable location. The tilted balance would apply as the Council does not have a 5-year housing land supply. After a full assessment, impacts from the scheme were not considered significant and did not demonstrably outweigh the benefits. Therefore, the Officer's recommendation was for approval with conditions which included the purchase of phosphate credits as phosphate mitigation.

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

The applicant's agent was then invited to speak by the Chair. He said the site was an infill plot on the edge of Street and that two adjacent properties had received Planning Permission in 2015, when the same planning policies applied. There were no good reasons to refuse this application.

As Divisional Member, Councillor Liz Leyshon was invited to speak. She was concerned about further development of the area of Higher Brooks which is a very rural lane and also the access onto the lane from the busy B3151.

Members discussed the application, in particular access and road safety. At the

conclusion of the debate, it was proposed by Councillor Martin Lovell and seconded by Councillor Edric Hobbs to approve the application in accordance with the Officer's recommendation with an additional condition.

On being put to the vote the proposal was carried with 8 votes in favour and 2 abstentions.

## **RESOLVED**

The Planning Application **2023/1625/FUL** be **APPROVED** as per officer recommendation and one further condition.

### **Votes – 8 in favour, 2 abstentions**

#### **21 Planning Application 2023/1515/OUT - Land at 353038 145483 Gypsy Lane, 5 Wells, 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 Parish Council, who did not support the application.

The Officer's Report continued that the application site was within open countryside (in settlement hierarchy terms) and comprised of an agricultural parcel of land, currently used for grazing.

St Cuthbert Out Parish Council had objected to the scheme on many grounds including the visual impact, access and increased traffic. There had also been a number of objections from local residents.

After a full assessment the Officer's Report concluded that the proposed development would result in limited overall harm, whereas the overall benefits were considered to be significant. The harms did not significantly or demonstrably outweigh the benefits therefore the recommendation was for approval.

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

A local resident and the Parish Council spoke against the proposal. Their concerns included road safety, access and congestion. The Parish Council said they had 18 valid planning objections.

Division Member Councillor Ros Wyke then spoke. She was concerned about the lack

of a S106 agreement and asked that some land be set aside or a building provided, for a community facility.

The final speaker was the applicant's agent who spoke about the benefits of the scheme in providing 47 much needed homes, including 19 affordable dwellings.

Members discussed the application and were concerned about development into open countryside, the preference for fewer houses with larger gardens and more amenities, the effect on wildlife and the wildlife corridor and the question of ownership of part of the application site.

At the conclusion of the debate, it was proposed by Councillor Martin Lovell and seconded by Councillor Edric Hobbs to defer the application to investigate the potential ownership of land within the scheme by a third party.

On being put to the vote the proposal was carried with 8 votes in favour, 1 against and 1 abstention.

#### **RESOLVED**

That planning application **2023/1515/OUT** be **DEFERRED** subject to clarification that the means of access as proposed can be provided without requiring land owned by a third party other than the highway authority.

**Votes - 8 in favour, 1 against, 1 abstention**

**21 Planning Application 2024/1164/FUL - Land at 347729 151281, Vicarage Lane,  
6 Draycott, Cheddar, 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 approval was contrary to that of the Parish Council, who objected to the application.

The Officer's Report continued that the application sought full planning permission for retrospective consent for an area of onsite hardstanding for the parking of agricultural machinery and other equipment in association with the existing agricultural use.

In addition to the Parish Council, there were objections from the Mendip Hills AONB Officer, CPRE Somerset and 8 local residents. However, after a full assessment, the Planning Officer recommended approval.

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

There were three speakers objecting to the application; a local resident, a representative from CPRE and the Division Member. In support of the application was the applicant's agent, who spoke about the negligible effect on the landscape and the biodiversity net gain that would occur from the planting of screening.

Members discussed the application and were concerned about the appearance of the hard standing in the landscape setting.

At the conclusion of the debate, it was proposed by Councillor Philip Ham and seconded by Councillor Helen Kay to refuse the application contrary to the Officer's recommendation due to the impact on the landscape character.

On being put to the vote the proposal was carried with 6 votes in favour and 4 against.

#### **RESOLVED**

That planning application **2024/1164/FUL** be **REFUSED** contrary to the Officer's recommendation, as there was an adverse impact on the landscape character.

#### **Votes – 6 for, 4 against**

#### **21 Planning Application 2024/0334/REM - Land Adj to Orchid Way, Writhlington, 7 Radstock, 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, who did not support the application.

The Officer's Report continued that the application sought reserved matters approval relating to the layout, scale, appearance and landscaping of the site. Outline planning permission for the erection of 6 dwellings had been granted in March 2021.

The concerns of the Parish Council included the risk of flooding and highway safety during the construction phase, and neighbouring Radstock Town Council objected due to the cross-boundary development which would impact local services and amenities, and the increase in traffic.

After a full assessment, the Officer's Report stated that the scheme would deliver 6 new houses using access already approved by the outline permission. Additional conditions were recommended to ensure that further details are submitted for approval of material samples, a Construction Traffic Management Plan, electric vehicle charging points and parking bays. As there were no adverse harms identified that would significantly and demonstrably outweigh the benefits of the scheme, the recommendation was therefore for approval.

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

The applicant's agent spoke in favour of the application, pointing out that outline planning permission had already been granted for 6 dwellings on the site. The new homes would be of high-quality design and build and would reflect the vernacular of existing homes in the area.

Members discussed the application and at the conclusion of the debate, it was proposed by Councillor Philip Ham and seconded by Councillor Edric Hobbs to approve the application in accordance with the Officer's recommendation with two additional conditions.

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

## **RESOLVED**

That planning application **2024/0334/REM** be **APPROVED** as per Officer recommendation and two further conditions.

## **Vote - Unanimous**

### **21 Planning Application 2024/0906/LBC - 8 High Street, Wells, Somerset - 8 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 refusal was contrary to that of the City Council, who had recommended approval.

The Officer's Report continued that the property was a Grade II\* Listed Building, built in the 15th century. It was situated within the historic heart of Wells and in the centre of the conservation area. Its Grade II\* listing status is highly significant and only 5.8% of listed buildings are Grade II\*, which means it is a "particularly important building of more than special interest".

Pre-application advice had been sought by the applicant including advice on a change in colour of the shop front and a change in signage of the building. The applicant was advised that both these elements would require Listed Building Consent. In terms of paint colour, they were advised that any external colour which would significantly alter the character or appearance of the building and which was not in keeping with the wider street scene would not be supported.

After a full assessment, the Officer's Report concluded that the application was not considered acceptable due to the harm to the listed building, the conservation area and the character of Wells. The paint used was inappropriate and the application was therefore recommended for refusal.

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

The applicant was present to speak in favour of the application. He explained that the pre-application advice sought a couple of years earlier regarding repainting the shop front had genuinely been forgotten and when the mistake had been realised, the retrospective permission was immediately applied for. He highlighted a number of other shop fronts in Wells High Street that were painted in bright colours, reflecting the branding of the business.

Members had sympathy for the applicants who had made a genuine mistake but it was also recognised by some that heritage buildings should be painted in muted tones and be the correct type of paint that would not cause harm to the listed building. A proposal to approve the application, contrary to the Officer's recommendation was not carried, as there were 3 votes in favour, 4 against and 1 abstention. A second proposal was made to refuse the application in accordance with the Officer's recommendation. This was also not carried, with 3 votes in favour and 5 votes against.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Helen Kay to defer the application to allow the applicant to make changes to the painting scheme proposed in their application, which would be more sympathetic to the Grade II\* listed building.

On being put to the vote the proposal was carried with 5 votes in favour and 3 against.

**RESOLVED**

That planning application **2024/0906/LBC** be **DEFERRED** so that the applicant can consider an alternative option.

**Votes - 5 for, 3 against**

**21 Appeals Report - Agenda Item 10**

**9**

The Team Leader – Development Management went through the two appeal decisions made by the Planning Inspectorate that had occurred since the last meeting. Both appeals had been upheld and he highlighted the reasons and rationale behind the decisions made. He drew Member’s attention to the conclusions in each report and where the Inspector had attached significant weight when making his decisions.

**(The meeting ended at 5.00 pm)**

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**CHAIR**