

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, 5 December 2023 at 2.00 pm

Present:

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

Cllr Adam Boyden
Cllr Dawn Denton
Cllr Bente Height
Cllr Martin Lovell

Cllr Barry Clarke
Cllr Martin Dimery
Cllr Helen Kay
Cllr Claire Sully

82 Apologies for Absence - Agenda Item 1

Apologies for absence were received from Councillors Wiltshire, Hart and Robbins. Councillor Ham substituted for Councillor Hart.

83 Minutes from the Previous Meeting - Agenda Item 2

The Committee was asked to consider the Minutes of the meeting held on 7 November 2023.

Councillor Martin Lovell proposed and Councillor Edric Hobbs seconded that they be accepted. These Minutes were taken as a true and accurate record and were approved.

84 Declarations of Interest - Agenda Item 3

Councillor Barry Clarke declared a non-registerable interest in applications 2022/1981/FUL & 2022/1982/LBC as he was the agent for the applications. He advised he would not take part in the debate and would leave the Chamber during those discussions.

85 Public Question Time - Agenda Item 4

There were none.

86 Planning Application 2019/1381/OTS Land South of 17, Elm Close, Wells, Somerset - Agenda Item 5

Application for outline planning permission with some matters reserved for the erection of up to 100 dwellings with public open space with only details of access considered.

The Officer's Report stated that this application had been referred to the Committee as it required approval of the proposals for phosphate mitigation. Other than phosphate mitigation, there were no changes in the development proposed. Conditions and obligations had been reviewed to ensure they remained suitable. Updated ecology information had been submitted and considered, to ensure a decision was made on the current site situation.

The Report continued that re-consultation had been undertaken with consultees as necessary to confirm the recommendation, conditions and obligations remained suitable. All other consultation comments remained relevant and were considered in the assessment.

St Cuthbert Out Parish Council had made a number of comments on the application including the following:

- Contributions towards the 67 bus route are no longer required.
- Agree that bus stop enhancements would be necessary in the local area as an alternative.
- Request that the developer takes on delivery and installation.
- Request a second bus stop be installed on the north side to facilitate Wells-bound traffic. Options to be explored.

Somerset Ecology had no objections and due to the lapse in time, an updated Ecological Appraisal was submitted in April 2023. Natural England stated that based on the information provided, the proposed mitigation strategy was acceptable.

There had been 1 further letter of objection from local residents since the previous Planning Board decision. Objections included insufficient social housing, insufficient infrastructure, services and facilities and water pollution.

The Officer's Report advised that the overall thrust of Government Policy as set out

in the updated National Planning Policy Framework (NPPF) was to encourage the delivery of sustainable development and required Local Authorities to significantly boost the supply of housing. The application reflected the emerging policy framework which covered the period 2006-2029. The application scheme offered a proposal which would provide 100 residential units, including the provision of affordable housing to respond to current policy requirements. In addition, the proposed means of access to serve the development was considered acceptable.

The Officer's Report continued that the assessment of the application had not identified any other adverse impacts that would arise and the application scheme was considered acceptable including in relation to the landscape impacts; amenity of neighbouring residents and the locality generally; public safety of the surrounding highway network; ecological and environmental impact.

In summary, the Planning Officer recommended that that planning permission be granted, as a departure from the development plan and the recommendation was to delegate permission subject to completion of a Section 106 agreement.

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

The Committee was then addressed by a representative of St Cuthbert Out Parish Council. He spoke about an extension to the cemetery and that this could not be covered under an S106 agreement. He suggested that one hectare of land be provided to preserve the green gap between Haybridge and Wells and to allow for future community facilities. He raised concerns that the S106 agreement had not yet been finalised. He requested that the application was not approved until the City and Parish Councils had been able to review the terms of the S106 agreement.

The next speaker was a representative of the applicant who made the following points:

- Only the phosphate mitigation needed to be approved as the application had already been approved in January 2020.
- 40 of the 100 houses would be affordable housing.
- There would be open space on site including a children's play area, additional tree and hedgerow planting and ecological habitat provision.
- An extension to the adjacent cemetery would be provided for.
- Homes would be highly efficient.
- There would be over £700k for expansion of local school provision and £24k for the Strawberry Line Society.
- They would commit to providing offsite highway improvements and additional bus shelters.

Prior to the Member discussion, it was noted that as Councillor Helen Kay arrived during the course of the presentation, she would be able to participate in the discussion but not vote. Members made a number of comments including the following:

- Even though it was an outline planning application there were many conditions attached. Concern that these could change between now and the reserved matters application.
- Who would agree the details of the S106 agreement?
- Why was it not possible to secure a community hall?
- Could conditions be attached for solar panels or porous paving materials?

In response to the comments made, Planning Officers advised the following:

- The controls over the delivery of the cemetery extension would be in the S106 legal agreement which would set out the time constraints.
- The heads of terms for the S106 agreement were set out in the Officer's report and from a process point of view Members and/or the Parish Council would be able to review the terms of the drafting of the legal agreement to reflect the agreed heads of terms prior to the agreement being finalised.
- Conditioning the provision of a community hall would need to meet the test for planning obligations and it was not considered reasonable to put forward an obligation for a community hall.
- Conditions for Ecological requirements were stipulated in Condition 23 which were added since the last application had been approved.

At the conclusion of the debate, it was proposed by Councillor Adam Boyden and seconded by Councillor Dawn Denton to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2019/1381/OTS for outline planning permission with some matters reserved for the erection of up to 100 dwellings with public open space with only details of access considered at Land South of 17, Elm Close, Wells be **APPROVED** in accordance with the Officer's recommendation.

Voting – Unanimous in favour

87 Planning Application 2023/0937/HSE Little Pomeroy, Church Farm Lane, Farleigh Hungerford, Somerset - Agenda Item 6

Application for the construction of a double garage.

The Officer's Report stated that this application had been referred to the Committee as the recommendation of the Planning Officer was contrary to the views of both the Parish Council and Divisional Member. The Chair had therefore requested that the application be brought to the Committee.

The Report continued that Little Pomeroy sat in the outer fringes of Farleigh Hungerford and had an open, rural character. It was situated within the green belt.

The application sought consent for the demolition of an existing outbuilding and the construction a large carport building to the east of the existing driveway near the main site entrance. The existing outbuilding had a footprint measuring 3 x 4 metres whilst the proposed car port is 5 x 6 metres and would stand 4 metres high.

Norton St Philip Parish Council and the Division Member supported the proposal on the basis that the proposed development would be a significant improvement to the green belt including its openness, with the benefits outweighing any harm.

There had not been any comments received from local residents or from any of the statutory or other consultees.

In summary, the Planning Officer concluded that the proposed double car port building was considered to be materially larger than the building which it would replace and was therefore inappropriate development in the green belt. Very special circumstances were needed to outweigh the general presumption against inappropriate forms of development in the green belt and this had not been demonstrated. As such the proposal was recommended for refusal.

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

The Committee was then addressed by a representative from Norton St Philip Parish Council. His comments included:

- The Parish Council supported the application.
- There were only 4 dwellings on the lane which was a narrow, single track, no through road with high hedges.
- The proposal would improve the appearance of the green belt rather than harm it, as vehicles previously parked in view would be in an enclosed carport nearer to the house.

- There have not been any objections from neighbours on the lane.

The next speaker was the applicant's agent who made the following points:

- The application should be considered appropriate for a green belt.
- The existing parked cars did adversely affect the appearance of the green belt.
- The existing building which is currently visible and set away from the main house would be removed so the visual impact would be improved and would reduce the sense of built form.
- The new carport would be timber clad and reclaimed tiles would be used to match the roof of the dwelling.

The Legal Adviser said that for applications within a green belt, it was important for Members to note that they would not be applying the usual planning balance. The NPPF said inappropriate development within Green Belt was harmful and should not be approved. There were some exceptions such as the replacement of a building, but the new building must not be materially larger than one being removed. If so it would automatically be deemed harmful to the greenbelt. If Members chose to grant permission, this should only be done if there were "very special circumstances" and the harm to Green Belt was clearly outweighed by other factors

In the discussion which followed, Members made a number of comments including the following:

- The replacement building within the garden of a property in a green belt did not appear to be harmful development.
- It would be less intrusive and would mean less parked cars in the lane.
- Recognised the building would be larger, but not substantially and would be in materials more sympathetic to the green belt.

At the conclusion of the debate, it was proposed by Councillor Martin Dimmery and seconded by Councillor Helen Kay to approve the application contrary to the Officer's recommendation as there were very special circumstances such as the enhancement of the green belt by the removal of an unsightly building situated away from the main dwelling and the removal of parked cars on the lane.

On being put to the vote the proposal was carried with 9 votes in favour and 2 votes against.

RESOLVED

That planning application 2023/0937/HSE for the construction of a double garage at Little Pomeroy, Church Farm Lane, Farleigh Hungerford be **APPROVED** contrary

to the Officer's recommendation as it was considered that there were very special circumstances which clearly outweighed the harm to the Green Belt by reason of inappropriateness. The very special circumstances were recognised as an enhancement to appearance of the Green Belt by the removal of unsightly outhouses and relocating the car port closer to the dwelling. That Planning Officers be given delegated authority to impose conditions in consultation with the Chair and Vice-Chair.

Voting – 9 in favour, 2 against

88 Planning Application 2023_1213_FUL Flat 4, Tipcote House, Tipcote Lane, Shepton Mallet, Somerset - Agenda Item 7

Application for the replacement of three rotten timber casement windows.

The Officer's Report stated that this application had been referred to the Committee as the agent was a Councillor.

The application sought consent for the replacement of two windows on the north elevation of the building and the one on the south elevation as the existing modern windows were in a very poor state of repair. It was proposed that they be replaced with a more traditional style casement window with hardwood frames and would be painted in an off-white colour.

Shepton Mallet Town Council had supported the application subject to approval of the windows by the Conservation Officer. There had been no comments from local residents.

The Officer's Report continued that, in this case, it was considered that, by virtue of the design, scale, massing, position and the external materials, and having regard to the Conservation Area Assessment, no harm to the significance of the heritage asset or its setting would occur and that the proposed development would at least preserve the character and appearance of the Listed Building and the Conservation Area and its setting.

In conclusion, the Planning Officer recommended approval of the application.

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

There were no speakers for this application.

In the brief discussion which followed, Members said there were no objections from

anyone to this application and that it was only at Committee for probity reasons due to the applicant being a Councillor.

It was proposed by Councillor Bente Height and seconded by Councillor Adam Boyden to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2023/1213/FUL for the replacement of three rotten timber casement windows at Flat 4, Tipcote House, Tipcote Lane, Shepton Mallet be

APPROVED in accordance with the Officer's recommendation.

Voting - Unanimous in favour

89 Planning Application 2023/1214/LBC Flat 4, Tipcote House, Tipcote Lane, Shepton Mallet, Somerset - Agenda Item 8

Application for the replacement of three rotten timber casement windows.

This application was for Listed Building Consent and was presented and debated along with the previous application at Item 7 (2023/1213/FUL).

It was proposed by Councillor Bente Height and seconded by Councillor Adam Boyden to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2023/1214/LBC for the replacement of three rotten timber casement windows at 4, Tipcote House, Tipcote Lane, Shepton Mallet be

APPROVED in accordance with the Officer's recommendation.

Voting - Unanimous in favour

90 Planning Application 2023/1686/FUL Critchill Farm, Critch Hill, Frome, Somerset - Agenda Item 9

Application for the siting of two timber buildings to form Father Christmas grotto.

The Officer's Report stated that this application had been referred to the Committee as the recommendation of the Planning Officer was contrary to that of the Parish Council. The Chair had therefore requested that the application be brought to the Committee.

The application sought planning permission to site two timber buildings, which would be utilised as a Father Christmas grotto. The application was a resubmission of an identical scheme which was refused in July 2023.

The site was located approximately 165 meters southwest of the Manor and was accessed via a long drive and an existing car park off Critch Hill / Frome Road which served the various activities taking place on the estate.

Selwood Parish Council supported the application for the same reasons given in the previously refused application.

There had been 1 letter of objection from a local resident for reasons including the following:

- The site was outside the development limits of Frome.
- The site could be seen from public footpath FR14/78 in both directions, especially in winter.
- The site was part of a Site of Special Scientific Interest (SSSI).

There had been 6 letters of support for reasons including the following:

- The proposed cabins will blend in well with the surroundings.
- There would not be any noise disturbance.
- The proposed use would have a smaller impact than the already approved glamping use.
- Traffic, parking and congestion would not be an issue.

The Officer's Report advised that the site, by virtue of its location, was poorly served by public transport and was not readily accessible by safe pedestrian or cyclist access. Visitors would have to rely on private car transport. It was not considered a suitable or appropriate location for the business, which, in their opinion did not require a countryside location. The application was therefore recommended for refusal.

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

The Committee was then addressed by 2 supporters of the proposal. Their

comments included:

- The business encourages joint family trips to the site and it supports the existing café on site.
- Nearly half the visitors are local to the area and combined trips to the grotto with a visit to the town.
- There was excellent access and car parking.
- The site was not remote nor in open countryside.
- Desire to spread joy and happiness in these difficult times.
- The grotto had a Mrs Claus to help shy children to relax and enjoy the experience.
- Take the sustainability of the business seriously and give keepsake gifts rather than plastic ones.
- There was overwhelming support from customers, the Parish Council and existing businesses on site.

A speech from a representative of Selwood Parish Council was read out on his behalf as he was unable to join the meeting. His comments included:

- The grotto is the best in the area.
- It was very unlikely that visitors would want to walk or cycle to the attraction.
- Many bookings coincide with school pickup times so would not increase traffic.
- Urges support of the application.
- Suggested a restriction could be made on the future use of the buildings.

In the brief discussion which followed, Members commented that realistic alternatives to car use to travel to rural attractions were very limited. They felt the delay in bringing the application to the committee was regrettable and wanted to support the small business. They clarified with the Planning Officer whether a restriction on future use could be imposed but were advised that the application was purely to use the buildings as a Father Christmas grotto so it would not be appropriate to make any conditions of future use.

At the conclusion of the debate, it was proposed by Councillor Claire Sully and seconded by Councillor Philip Ham to approve the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 8 votes in favour 2 votes against and 1 abstention.

RESOLVED

That planning application 2023/1686/FUL for the siting of two timber buildings to form a Father Christmas grotto at Critchill Farm, Critch Hill, Frome be **APPROVED** contrary to the Officer's recommendation as the site was not considered to be an unsuitable or inappropriate location for the business and the economic benefits of the scheme outweighed the harms identified in the Officer's Report. Delegation of conditions was made to Planning Officers in consultation with the Chair and Vice-Chair.

Voting – 8 in favour, 2 against and 1 abstention.

91 Planning Application 2022/1981/FUL Former Baily's Tannery, Beckery Road, Glastonbury, Somerset - Agenda Item 10

Application for the repair and conversion of the former Baily's tannery and leather-working factory into multi-use workspaces.

The Officer's Report stated that this application had been referred to the Committee as part of the application site overlapped land which was reserved as a Gypsy and Traveller site and a range of employment uses. As the proposal conflicted with Policy GL5 and represented a departure from the existing adopted Local Plan, it was referred to the Committee.

The application formed part of the Glastonbury Town Deal and related to a site containing two derelict building complexes that were once part of the Baily's leather works, a large historic industrial complex that included a number of tanneries. They were Grade II listed and on the Council's Historic Buildings at Risk Register. A parallel listed building application (ref: 2022/1982/LBC) was also under consideration.

The application was supported by a suite of technical reports including a Design and Access Statement, Transport Statement and Travel Plan, Archaeological Impact Assessment, Contaminated Land Risk Assessment, Flood Risk Assessment, Drainage Maintenance Report and Drainage Calculations, Odour Assessment, Odour Sniff Test Report, Ecological Impact Assessment, Bat Mitigation Technical Note, External Lighting Assessment, and a Landscape and Ecological Management Plan.

As this was part of the Glastonbury Town Deal, Glastonbury Town Council had not discussed the application at their Planning Committee.

There had been 2 letters of objection and 1 neutral comment from local residents. There were no objections from any of the statutory or other consultees subject to conditions.

The Officer's Report concluded that the application met the requirements of the relevant planning policies and was recommended for approval. The proposal would make a significant contribution to the community of Glastonbury. There were clear heritage and public benefits in repairing the listed buildings and bringing them back into use. Furthermore, there were no other issues raised in this report which were not capable of being resolved through the attachment of appropriate conditions and planning obligations for a LEMP and Travel Plan to be secured in a legal agreement.

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

The Chair then read out a statement from Councillor Liz Leyshon who was unable to attend the meeting in person. Her comments included:

- Advised she sat on the Glastonbury Town Deal Board.
- Restoration of the buildings as places of commercial activity and employment would be a huge step forward to improve the economic growth of Glastonbury.
- The vision to restore the buildings had been an ambition for many years.
- The adopted highway would lead directly to the entrance for the West car park and there may be parking restrictions put in place to ensure safe access.

In the discussion which followed, Members were supportive of the application and were pleased that the long-awaited restoration of the derelict buildings would be going ahead, if approved. The Chair re-iterated how important this was for Glastonbury and urged the Committee to support the application. Councillor Helen Kay said was very pleased to see the onsite generation of energy, the use of solar panels and the collection of rainwater to flush toilets and proposed to approve the application in accordance with the Officers recommendation. This was seconded by Councillor Martin Dimmery.

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

RESOLVED

That planning application 2022/1981/FUL for the repair and conversion of a former tannery and leather-working factory into multi-use workspaces at the former Bailys Tannery, Beckery Road, Glastonbury be **APPROVED** in accordance with the Officer's recommendation.

Voting – Unanimous in favour

92 Planning Application 2022/1982/LBC Former Bailys Tannery, Beckery Road, Glastonbury, Somerset - Agenda Item 11

Application for the repair and conversion of the former Bailys tannery and leather-working factory into multi-use workspaces.

This application was for Listed Building Consent and was discussed with the previous application at Item 10 (2022/1981/FUL).

It was proposed by Councillor Helen Kay and seconded by Councillor Martin Dimery to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2022/1982/LBC for the repair and conversion of a former tannery and leather-working factory into multi-use workspaces at the former Bailys Tannery, Beckery Road, Glastonbury be **APPROVED** in accordance with the Officer's recommendation.

Voting – Unanimous in favour

93 Planning Application 2023/1390/FUL The Wrangles, Bristol Road, Green Ore, Wells, Somerset - Agenda Item 12

Application for the change of use of land to residential: extend garden, annexe, car port and alterations to main dwelling (retrospective).

The Officer's Report stated that the application had been referred to the Committee as it represented a departure from the Planning Policy as the application was for a change of use of land outside the development limits.

The Report continued that The Wrangles was a detached property set in open countryside and it was a retrospective application. The site lay within the Mendip Hills AONB now referred to as a National Landscape.

Chewton Mendip Parish Council had recommended refusal and there had been 2 objections from local residents relating to the principle of use and residential amenity.

The Officer's Report advised that the overall development to the principal dwelling was completed and proposed retrospectively by this application had been assessed against the policies of the adopted Local Plan and were considered acceptable.

Whilst the extension to the residential /garden curtilage and the delivery of the ancillary building included a change of use of land, the existing lawful use of which was an agricultural use, the scope and extent of this was limited.

Taken as a whole, the application had no unacceptable adverse impact upon the landscape, adjoining land uses, or the amenity of occupants of neighbouring properties. On this basis, the application was considered to represent a sustainable form of development and it was therefore recommended that planning permission be granted, including for the element of the proposal that represented a departure from the development plan.

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

The Committee was then addressed by an objector to the application. Their comments included:

- She was speaking on behalf of a neighbour of the development site.
- The site was highly sensitive in open countryside in an AONB, which was the most protected landscape designation.
- What had been built involved 18 breaches of planning control including a larger main building, more roof lights, a separate annex with its own curtilage taken from agricultural land and a large carport.
- There has been clear abuse of the system by the applicant who has had a bold disregard for the planning system.

The next speaker was the applicant's agent who made the following points:

- The owners were keen to regularise the situation by making this application for retrospective planning permission and change of use.
- The building had been completed to a high standard.
- The outbuildings did not have a detrimental effect on the National Landscape and the expansion was in alignment with the neighbouring property.
- There was no overlooking so no loss of residential amenity to the neighbouring property.
- Appreciates some differences to what was previously approved, however, the changes were considered good practice and had not caused any harm to the National Landscape.

In the discussion which followed, Members made a number of comments including the following:

- Concerns regarding the effect of the additional rooflights on the dark skies

and National Landscape.

- Not happy that the application was for retrospective Planning Permission, particularly as it was within a National Landscape.
- Could a condition be added to restrict the use of the annexe?
- Could a condition be added to ensure the sky lights had blinds.

In response to the comments made, Planning Officers advised the following:

- Members needed to consider the planning merits of what is before them and whether the current scheme and drawings were appropriate. The fact that it was retrospective should not be a consideration.
- It was standard practice for an annexe to be listed as being for ancillary purposes and condition 6 prevented it from being occupied as a separate unit.
- The two extra sky lights were not considered to be adverse to the National Landscape.
- Unable to condition the use of blinds on the sky lights although applicants are usually happy to do so.

At the conclusion of the debate, it was proposed by Councillor Dawn Denton and seconded by Councillor Philip Ham to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 7 votes in favour and 3 abstentions.

RESOLVED

That planning application 2023/1390/FUL for the change of use of land to residential: extend garden, annexe, car port and alterations to main dwelling (retrospective) at The Wrangles, Bristol Road, Green Ore, Wells be **APPROVED** in accordance with the Officer's recommendation.

Voting – 7 in favour with 3 abstentions

94 Planning Application 2022/1618/FUL Duke of Cumberland Inn, Edford Hill, Holcombe, Somerset - Agenda Item 13

Application for the formation of new overflow car park with associated access and landscaping.

The Officer's Report stated that the application had been referred to the Committee as the Officer's recommendation was for refusal and differed from that of the

relevant Parish Councils.

The Report continued that whilst the Parish Council supported the scheme, this was subject to the Highway Authority supporting the application which was not the case. The Highway Authority had concluded that the proposal did not demonstrate that safe and suitable access to the site could be achieved for all users of the highway, specifically pedestrians.

The application related to a large parcel of agricultural land to the south of Holcombe off Edford Hill. The land had existing field access which was shared with pedestrians using the public right of way. The application sought full planning permission for the formation of a new overflow car park with associated new access and landscaping to serve the Duke Of Cumberland Inn located approximately 100m to the north of the site.

Both Holcombe and Stoke St. Michael Parish Councils had recommended approval subject to the Highway Authority considering additional pedestrian safety measures. In addition, Stoke St. Michael Parish Council had requested conditions to ensure that:

- The proposed planting of hedgerows and trees takes place to compensate for the loss of hedgerow at the roadside.
- Secure barriers would be installed to prevent any nuisance to nearby properties when Holcombe Farm shop was closed.
- There would be land allocated for village allotments and this was not shown on the plan.

There had been 48 letters of support and 3 letters of objection from local residents. The Highways Development Officer had objected on the grounds that the access was unsafe for vehicles and pedestrians. Other consultees had not objected subject to conditions.

The application was recommended for refusal as the impact of the proposal along with its location remote from the Duke of Cumberland Pub would have a significant impact on the character of the area and failed to demonstrate that safe and suitable access to the site could be achieved for all users of the highway. Any benefits brought by the proposal were outweighed by the harms identified.

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

The Committee was then addressed by an objector to the proposal. Their comments included:

- The proposed application contravenes various planning policies.
- The development would put pedestrians in danger.
- There was a pinch point in the road and a 40mph speed limit and an incline on each side of the pub. The line of sight was limited.
- Pedestrians would have to walk on a non-paved section of road, often in darkness.

The Committee was then addressed by two supporters to the proposal. Their comments included:

- The business is a valuable community asset and serves many local villages that do not have a similar facility.
- The café and farm shop was busiest in the daytime, not evening, so pedestrians would mainly be using the car park and walking along the road during daylight hours.
- Currently people parked on the road where it narrows forcing people to walk into the road. The car park would improve pedestrian safety, not harm it.
- The business provides employment for younger people in the local area.
- The business relied on people being able to use their cars to reach it and currently safe parking was very limited. The car park would improve the situation.

The Committee was then addressed by a representative of Holcombe Parish Council. Their comments included:

- There were 3 main issues with the application – viability, road safety and aggravation between the landlord and local residents.
- The business provides much needed local employment.
- The existing car park was not large enough and proposed additional car parking was much needed as currently cars park on the road forcing pedestrians to walk into the road.
- The Parish Council had requested a reduction in speed limit, a dedicated area for drop off and deliveries and street lighting.
- Please approve with the added conditions.

The final speaker was the applicant's agent who made the following points:

- The owners had invested significantly in the business so they could continue to run the pub alongside the farm shop and café.
- The existing parking was inadequate and only had 19 spaces. When busy, the business could accommodate over 200 customers.

- Visitors were forced to park on the road.
- The proposed site of the new car park was the only land available to the applicant.
- The new pedestrian access would be 95m from the pub, and there would be a lighting and planting scheme.

In the discussion which followed, some Members felt the proposal would improve pedestrian safety but others felt it would make it more dangerous as it was a narrow stretch of road. Some of the comments included:

- The applicant had tried hard to find a solution. It was not ideal but street lights and a change of speed limit could make it safer.
- Why is the car parking site so large and what is the central area by the access driveway being used for?
- The provision of jobs for local people is very important.
- The business was thriving but lack of parking deterred people from stopping.
- People were already parking and walking on the road so provision of a car park would improve safety and not exacerbate the problem, as suggested by Highways Officer.

In response to the comments made, Officers advised the following:

- It was not known what the central area of land will be used for. There was no suggestion that there would be any change of use of this parcel of land.
- If Members were to approve the application it would infer that the Council considered that the proposed pedestrian access was safe. Currently, visitors walk on the road of their own volition. Approval would endorse an unsafe means of access.
- A change of speed limit could only happen if a separate Traffic Regulation Order was applied for. It could not be conditioned, nor could the provision of street lighting.

At the conclusion of the debate, Members decided that the site was appropriate and it would not be harmful to the character and appearance of the rural landscape. The benefits of the scheme would outweigh any harms identified in the Officers Report. It was proposed by Councillor Philip Ham and seconded by Councillor Bente Height to approve the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 6 votes in favour, 3 votes against and 1 abstention.

RESOLVED

That planning application 2022/1618/FUL for the formation of new overflow car park with associated access and landscaping at the Duke of Cumberland Inn, Edford Hill, Holcombe be **APPROVED** contrary to the Officer's recommendation as there would be safer parking provision and the benefits of the scheme outweighed the harms identified in the Officers Report. Delegation of conditions to be made to Planning Officers in consultation with the Chair and Vice-Chair.

Voting – 6 in favour, 3 against and 1 abstention

95 Planning Application 2023/0106/OUT Land at Foghamshire Lane, Trudoxhill, Frome, Somerset - Agenda Item 14

Application for outline planning permission with some matters reserved for the erection of 1 single storey dwelling with access, landscaping etc.

The Officer's Report stated that the application had been referred to the Committee as it represented a departure from the Local Plan Policy.

The site had boundaries with residential properties to the southeast and southwest and the village hall and children's play area to the north. The applicant had amended the scheme with the scale of development being reduced to a single storey dwelling unit which included a slight increase to the ground floor footprint.

Trudoxhill Parish Council had recommended refusal and had made a number of comments on the application including the following:

- Concerned the location of the dwelling, next to the village hall, would give rise to noise complaints, thus disrupting the vital community asset from functioning.
- The village playground would be bordered and severely overlooked.
- The parking arrangements would cause 4 cars to reverse into the lane where children play.
- The revised scheme did not alter the concerns of the Parish Council who still recommended refusal.

There had been 10 letters of objection from local residents for reasons including the following:

- Overlooking of playground
- Overshadowing of playground
- Existing activities at the village hall and playground impacting on residents of

proposed dwelling (noise)

- Existing use of the village hall and playground being prejudiced by the siting of the proposed dwelling.

There were no objections from any of the statutory or other consultees

The Officer's Report advised that the NPPF stated that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Given the lack of a five-year housing land supply this 'tilted balance' would apply.

The benefits of the proposal would include contributing a new dwelling and would have economic benefits for the duration of the construction phase and ongoing in supporting local facilities. However, the amount of weight given to these benefits was limited by the fact that the proposal would be in an unsustainable location.

Nonetheless, no demonstrable harm had been identified and taking into account the benefits (albeit limited), the Officer concluded that a recommendation for approval was justified.

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

The Committee was then addressed by 3 objectors to the proposal. Their comments included:

- It would have a negative impact on the running of the village hall as the new occupiers would be able to object to licence applications.
- The safety of children in the playground was of concern.
- The felling of a native tree and flattening of an earth bank could exacerbate flood risk which is a medium to high risk.
- It was not in a sustainable location.

The Committee were then addressed by a representative from Trudoxhill Parish Council. He reiterated the comments made during the consultation process above and closed his speech by saying that the adverse impact on the neighbours and residents of the village significantly outweighed any benefits of the scheme.

In the discussion which followed, many Members agreed with the objections made by the public speakers regarding possible noise complaints from the occupiers, the danger to the safety of the children in the playground and traffic/parking issues that could occur. The Legal Advisor reminded Members that the "tilted balance" was relevant to the application and that, if they were reminded to refuse the application,

they must be satisfied that the adverse impacts of the scheme demonstrably and significantly outweighed the benefits.

At the conclusion of the debate, it was proposed by Councillor Barry Clarke and seconded by Councillor Helen Kay to refuse the application contrary to the Officer's recommendation due to the loss of amenity to the Village Hall and playground, loss of the hedgerow, the height of the proposed building and sustainability of the location.

On being put to the vote the proposal was carried with 9 votes in favour and 1 abstention.

RESOLVED

That planning application 2023/0106/OUT for outline planning permission with some matters reserved for the erection of 1 single storey dwelling with access, landscaping on land at Foghamshire Lane, Trudoxhill, Frome be **REFUSED** contrary to the Officer's recommendation as the harms of the scheme significantly and demonstrably outweighed the benefits. The harms were recognised as being conflict with the activities of the village hall and playground, the loss of ecology by the removal of hedgerow, the height of the proposed building and the unsustainability of the location.

Voting – 9 in favour, 1 abstention

96 Planning Application 2023/1226/FUL Land at Manor Farm, Church Street, Wanstrow, Shepton Mallet, Somerset - Agenda Item 15

Application for the demolition of existing agricultural buildings, removal of slurry pit, silage clamp, concrete hard standing and erection of 4no. detached dwellinghouses with associated access and agricultural access.

The Officer's Report stated that the application had been referred to the Committee as it represented a departure from the Local Plan Policy.

Wanstrow Parish Council had noted the flood risk and comments from the Highways Officer, and requested that, if approved, the perennial flooding after rainfall on the highway at the bend adjacent to the site be corrected. In response, the Highways Officer stated that following the submission of revised drawings and additional drainage details, the Highway Authority raised no objections subject to the imposition of standard highway safety conditions as suggested.

There had been 1 letter of support from a local resident and no objections from any of the statutory or other consultees, although the Environmental Protection Officer had said that due to the proximity of neighbouring residential properties, a Construction Management Plan Condition would be necessary. Contaminated Land Officers wished to remind the applicant that due to the historical farming use of the site, there should be a watching brief for potential hotspots of contamination throughout the construction process.

The Officer's Report advised that the NPPF stated that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and given the lack of a five-year housing land supply this 'tilted balance' would apply. The benefits of the proposal would include the provision of 4 new dwellings, which would make a contribution to the housing land supply which would have economic benefits for the duration of the construction phase and thereafter for local facilities including the garage and public house.

However, the amount of weight given to these benefits was limited by the fact that the proposal would be in an unsustainable location.

Nonetheless, it would appear to be a logical small extension to the village and would be seen against the backdrop of existing houses from many vantage points. It would not appear as an incongruous 'bolt-on' or visually remote from the settlement. The scheme would be seen as an enhancement to the immediate setting both visually and in terms of amenity.

As no demonstrable harm had been identified the Officer concluded that a recommendation for approval was justified.

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

The Committee was then addressed by a representative from Wanstrow Parish Council. Their comments included:

- The Parish Council recommended approval of the application.
- The small-scale 'organic' growth to the village was sensible and acceptable.
- Flooding concerns had been addressed and were acceptable.
- The number and design of the buildings would sit well in the landscape.
- They would benefit the locality and replace agricultural buildings, thus reducing heavy traffic through the conservation area.
- There were no objections from local residents.

The next speaker was the applicant's agent who made the following points:

- The existing calf unit was being relocation to a nearby facility.
- Traffic would be reduced on the highway.
- The Parish Council voted unanimously to approve the application.
- There had not been any objections from residents or statutory consultees.
- The homes would be heated with combination solar and battery boilers and underfloor heating.

In the discussion which followed, Members made a number of comments including the following:

- It would appear to be an excellent scheme and the design was sympathetic to the area.
- The gardens were a useful size.
- Would like to see a list of the proposed sustainability provisions.

At the conclusion of the debate, it was proposed by Councillor Helen Kay and seconded by Councillor Barry Clarke to approve the application in accordance with the Officer's recommendation with an additional condition for a sustainability statement to be provided in advance of the work commencing.

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

RESOLVED

That planning application 2023/1226/FUL for the demolition of existing agricultural buildings, removal of slurry pit, silage clamp, concrete hard standing and erection of 4no. detached dwellinghouses with associated access and agricultural access on land at Manor Farm, Church Street To Lower Lane, Wanstrow, Shepton Mallet be **APPROVED** in accordance with the Officer's recommendation with an additional condition regarding a sustainability statement from the applicant to be provided prior to the commencement of work.

Voting – Unanimous in favour

(The meeting ended at 6.00 pm)

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CHAIR