

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 30 January 2024 at 2.00 pm

Present:

Cllr Peter Seib (Chair)
Cllr Jason Baker (Vice-Chair)

Cllr Steve Ashton	Cllr Mike Best
Cllr Andy Kendall (left 3.15pm)	Cllr Jenny Kenton
Cllr Tim Kerley (left 5.15pm)	Cllr Sue Osborne
Cllr Oliver Patrick (left 5.55pm)	Cllr Evie Potts-Jones
Cllr Martin Wale	Cllr Kevin Messenger

In attendance:

Cllr John Bailey	Cllr Adam Dance
Cllr Tony Lock	Cllr Jo Roundell Greene

68 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Henry Hobhouse and Jeny Snell.

It was noted that Councillor Kevin Messenger was attending as a substitute for Councillor Henry Hobhouse.

69 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on 19th December 2023 be confirmed as a correct record.

Following a short explanation, the Lead Specialist (Built Environment) asked members that the following post meeting note be added to minute 64 Planning Application 16/05500/OUT – Land South West of Canal Way, Ilminster of the minutes of Planning Committee - South held on 9th January 2024.

'Subsequent to the meeting, the applicants have confirmed in writing their agreement to fund the proportion of the cycle route 33 improvements that the developer and Somerset Council agree to comprise a CIL compliant contribution and for this to be secured by the relevant S.106 Agreement'.

Members agreed to this amendment and the minutes of Planning Committee - South held on 9th January 2024 were then confirmed as a correct record.

70 Declarations of Interest - Agenda Item 3

There were no declarations of interest.

71 Public Question Time - Agenda Item 4

A member of the public addressed the committee and raised frustration surrounding the lack of information and communication from the Planning service regarding his planning application and the process involved for determination. He felt there had been a disregard of his requests and an inexcusable length of time taken to respond and sought clarification regarding these issues raised.

In response the Chair explained the operation of the Planning service was not a matter for the Planning Committee and noted that the Lead Specialist (Built Environment) acknowledged his concerns and would look to progress this matter. He also advised that Councillor Ros Wyke was the Lead Member for Economic Development, Planning and Assets should he wish to progress his concerns further.

72 Planning Application 21/01035/OUT - Land OS 6925, Coat Road, Martock. - Agenda Item 5

The Planning Officer presented the application as detailed in the agenda report, and with the aid of a Powerpoint presentation highlighted key elements of the proposal including:

- Site and location plan.
- An indicative layout with proposed development to the east of the site, and with open space and planting to the west.
- The phosphates solution included a package treatment plant and phosphates credits which had been purchased from the scheme agreed by the Council.
- Discharge of the water course will require separate agreement with the Environment Agency and Internal Drainage Board.
- Proposed access to site and proposed works to connect off road path into Martock.

- Martock Neighbourhood Plan acknowledges site acceptable for development.
- Reference to housing figures in the Local Plan – acknowledgement that Martock already above the number in the Plan, however the figures in the Local Plan were not a maximum.
- Identified the Stapleton and Coat green gap.
- The key considerations were the principle of development and highway safety.
- Highways were content with the proposal subject to Section 106 obligations and conditions.

He confirmed the Lead Local Flood Authority (LLFA) had not objected to the proposal and introduced the Officer from the LLFA who provided members with a detailed explanation of the discharge rates and consideration given to this application. She confirmed the site was outside most of the surface water flooding area and suggested a detailed drainage condition be included to secure these measures are in place.

The application was recommended for approval subject to planning obligations and conditions as set out in the agenda report.

Five members of the public addressed the committee in objection to the application. Some images had been submitted which were included in the officer presentation, and some of their points raised included:

- Concern regarding the proposed drainage within the site due to the flow and discharge of surface water from other catchment areas.
- Recent flooding made Coat Road and other roads within Martock impassable and with no new detailed information being provided to solve the flooding and safe access issues which remain a concern. The application should be deferred until these matters have been dealt with.
- The green gap between Coat and Martock is a high landscape sensitivity area which should be protected and that the proposed development will significantly impact this area.
- Who will be responsible for the tree planting and green gap?
- Originally identified for 55 houses and not 100 as now proposed.
- This is a case of cramming houses into a small gap.
- This will significantly increase the need for travel and congestion to the local surrounding road network.
- Local facilities such as the local doctor's surgery and schools cannot cope.
- This proposal should be considered after the 2028 once the true impact on the other developments are built out.
- Concern regarding the package treatment proposals and safety concerns around the outflow of sewage with no supporting documentation evident.

The Engineering consultant for the applicant, then addressed the committee as a supporter of the application, some of his points raised included:

- Application site is located within the lowest flood zone risk area.
- Proposal addresses the water quality and contributes to amenity and biodiversity and is fully compliant to the necessary technical assessments required.
- Acknowledged flash flooding can occur within the areas around Martock. However, this location will provide safe access to and from the site and noted that flash flooding is not unique to Martock and should not influence the acceptability of new development.
- Proposed drainage scheme will be a significant betterment than what discharges currently and will contribute to the downstream catchments.

A spokesperson for Martock Parish Council addressed the committee in objection to the application. Some of his points raised included:

- Martock neighbourhood plan shows there is sufficient housing land supply until 2036.
- Site had originally been identified for up to 55 dwellings.
- Application will significantly impact the character of the green gap between Martock and Coat.
- This development would significantly exceed the local plan allocated housing target by nearly double the intended figure.
- Lack of employment opportunities.
- Application would significantly increase the traffic exacerbating the issues at the nearby junction.
- Application does not meet the parish needs with lack of community consultation undertaken.
- Insufficient phosphate mitigation.

Division member, Councillor John Bailey, wished it noted that the Parish Council were not wholly against future housing, but that the increase in dwellings from 55 to 100 homes is unacceptable given it is within half the original identified area. He said there had been a lack of communication from the developer with the Parish Council and felt there was insufficient phosphate mitigation. He raised concern regarding flooding within the site given the recent issues within the local area and that this should be considered.

In response to points of detail and technical questions raised by the public speakers, the Planning Officer and LLFA Officer clarified that:

- The proposed development does not encroach into the green gap and that tree planting does not require planning permission.

- Highways had re confirmed they had raised no objections to scheme.
- Woodland would potentially help the surface water flow and that the discharge rates are in agreement with the drainage board.
- Phosphate Treatment Plant (PTP) was not in the remit of the LLFA.
- It was recognised that Martock had taken further development than set out in the Local Plan, however the figures in the Local Plan are minimum figures not maximum.
- Clarified this was an outline application and the only aspect for approval was the access into the site. All other matters such as the layout and drainage works would be at reserved matters stage.

In response to questions from members the Planning officer, LLFA Officer and Lead Specialist also provided the following:

- Gave a detailed explanation around the information supplied and assessment regarding surface water levels within the development boundary.
- Noted concern regarding the speed limit within the access boundary of the site, however confirmed that the Highways authority consider the scheme acceptable, and any safety concerns would have been considered.
- Explained the rights of the neighbourhood plan with the direction of growth and green gap being recognised and with the aid of a map the areas allocated within the development plan.
- Explained the application process of a Traffic Regulation Order regarding the speed limits. It was confirmed that the applicant would be applying for a TRO as part of this application and would be happy to include this as part of the conditions.
- Explained in detail the proposed package treatment plant management and the companies who provide it.
- Explained in detail the discharge rates and how they are calculated.
- Confirmed density of application was similar to other schemes nearby.

During members discussion some comments included:

- Struggling to find sufficient planning reasons to refuse this application.
- Remain concern about the surface water flooding and whether the proposed mitigation measures would be sufficient to prevent further flooding.
- Concerns that areas of the site are liable to flood with evidence to prove this.
- Sought clarification regarding the speed limit and request that the 30mph speed limit be extended beyond the site entrance to ensure safer pedestrian access into the village.

Following concerns raised the Lead Specialist explained how the surface water flow is managed and ultimately deliver betterment on the site. The LLFA Officer also explained the construction drainage management plan and what measures would be

put in place to prevent further flooding.

Following a further discussion, it was then proposed by the Chair and seconded by Councillor Oliver Patrick to approve the application as per the officer recommendation and as detailed in the agenda report with two additional conditions to 1. require that an application is made for a Traffic Regulation Order (TRO) and 2. to incorporate the Sustainable Drainage Systems (SuDS) within the construction phase.

On being put to the vote, this was carried by 6 votes in favour, 2 against and 3 abstentions.

RESOLVED:

That planning application 21/01035/OUT for up to 100 dwellings with associated works including access, public open space and landscaping at Land OS 6925, Coat Road, Martock, Somerset be APPROVED, subject to the prior completion of a section 106 planning obligation, the imposition of conditions as per the officer recommendation as detailed in the agenda report and two additional conditions to require that an application is made for a Traffic Regulation Order (TRO) and to incorporate the Sustainable Drainage Systems (SuDS) within the construction phase.

(voting: 6 in favour, 2 against, 3 abstentions)

73 Planning Application 23/02111/FUL - Land South of Camp Road, West Coker, Yeovil. - Agenda Item 6

The Planning Officer presented the application as detailed in the agenda report. For clarification and with the aid of a Powerpoint presentation provided members with the following update and revisions to the conditions as summarised:

- Condition 12 – replace wording ‘completion of the development’ with ‘completion of the soft landscaping’.
- Condition 16 – replace wording ‘before completion of the development’ with ‘following completion of the habitat and protected species mitigation and compensation measures identified in the LEMP’.
- Condition 17 – replace wording ‘completion’ with ‘energisation of the project’.
- Condition 20 – include the word ‘facilitate’ to now read ‘The BSMP must prescribe for measures to facilitate safety during construction,’ and include wording ‘and must have due regard for the containment and disposal of firewater.’

Following the submission of a Farming and Wildlife Advisory Group (FWAG) report she also confirmed the LLFA having seen the report had no reason to change their recommendation.

She then proceeded to highlight key elements of the proposal including:

- Site and location plan along with location of proposed cabling.
- Closeness of heritage assets.
- Confirmed all footpaths are to be retained.
- There would be more ability to retain surface water on the land.
- Gateway access and location of CCTV within the site.
- Proposed security around the battery storage containers.
- All hedgerows and trees to be retained around the site.
- Clarified this application is to supply renewable electricity to local business Leonardo.

She proceeded to detail the reasons for approval and highlighted the key considerations summarised as follows:

- Landscape Impact – believe impact not so adverse to refuse and taking into account clear benefit for new energy.
- Loss of agricultural land – The land around the panels can still be used for grazing sheep. This is a temporary permission for 40 years.
- Battery Storage – Issues raised do not outweigh the benefits with conditions imposed for battery safety plan.
- Use of existing Leonardo site/ economic benefit – Full consideration had been given for the possibility of Leonardo using their own site, however a Sequential Location Assessment was undertaken which outlined why other onsite locations or buildings were not viable.

The application was recommended for approval subject to the conditions as set out in the agenda report and with the revisions highlighted by the Planning Officer.

Two members of the public addressed the committee in objection to the application. Some of their points raised included:

- Raised concern around the guarantees for decommissioning and worries an extension may be granted.
- Who would be responsible and accountable for the management of the site.
- Impact on noise and air pollution and the reflection of solar panels given the close proximity of helicopter test flights in the area.
- Concern regarding the flood mitigation measures.
- Raised fire safety concerns regarding the battery storage.
- Impact on biodiversity.
- Site is in the wrong place and too far from Leonardo factory site.

The applicant addressed the committee, some of his points raised included:

- Would provide direct renewable energy source to Leonardo's factory site in Yeovil and help support it to become carbon neutral.
- Lack of other suitable sites available.
- There is significant sustainable benefits and positives for Yeovil and surrounding area.

In response to points of detail and questions raised by the public speakers, the Planning Officer clarified that:

- Conditions included will ensure that the development is fully reversible on the decommissioning of the site.
- A noise assessment had also been carried out along with a glint and glare report.
- Explained the uplift and biodiversity net gain from this development.

In response to questions from members, the Planning officer also provided the following:

- Energy source is solely for Leonardo, however clarified that should this not have been the case recommendation would still be for approval.
- No financial gain is required under this application, however, understand there is discussions ongoing with West Coker PC and Leonardo regarding this.
- Confirmed a package for Ecology and Landscaping would be put in place first.
- Reiterated that permission was temporary and on decommissioning would revert back to original agricultural use.

During members discussion some comments included:

- Consider the visible impact to be acceptable in what is a well screened site and therefore see no reason to refuse the application.
- Raised concern regarding the loss of grade II agricultural land and the impact on the heritage assets.
- Sought assurance regarding the decommissioning of the site.

Division member, Councillor Oliver Patrick said he had taken considerable time to consult with the local residents and his comments are summarised as follows:

- Rather have green energy site than more housing.
- Provide employment opportunities and supply local employer.
- Support from local community.
- Benefits to deliver clean green energy.
- Biodiversity net gain.

- Preserves the local rights of way.
- Content developer had looked at other viable sites.
- Accepted that suitable conditions would be imposed to mitigate any fire safety risks.

It was then proposed by the Chair and seconded by Councillor Steve Ashton to approve the application subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report and with the revised wording to conditions 12, 16, 17 and 20 to provide clarity.

On being put to the vote, this was carried by 10 votes in favour, 0 against and 1 abstention.

RESOLVED:

That planning application 23/02111/FUL for Solar PV Farm and associated infrastructure including battery energy storage and access arrangements and cable run to supply renewable electricity to Leonardo at Land South Of Camp Road, West Coker, Yeovil be APPROVED, subject to the imposition of conditions as per the officer recommendation as detailed in the agenda report and with the revised wording to conditions 12, 16, 17 and 20 to provide clarity.

(voting: 10 in favour, 0 against, 1 abstentions)

74 Planning Application 22/02118/OUT - Land West of Silver Street, South Petherton TA13 5AN - Agenda Item 7

The Planning Officer presented the application as detailed in the agenda report. With the aid of a Powerpoint presentation highlighted key elements of the proposal including:

- This was an outline application to consider only access and the principle of development.
- Indicative site layout and location plans.
- Proposed staggered access to site.
- Location of existing garage to be removed to allow for footpath to the site.

He proceeded to detail the reasons for approval and highlighted the key considerations summarised as follows:

- Principle of development – South Petherton was a sustainable location, noted the Council’s lack of five-year housing land supply, Highways had not raised any objections and a satisfactory phosphates solution had been agreed. He

acknowledged the access requires a significant engineering solution and there would be a significant change in the street scene.

- Impact on the character of the area –Site can be developed without harm to conservation assets and neighbouring properties or amenity.

The application was recommended for approval subject to planning obligations and conditions as set out in the agenda report.

Four members of the public addressed the committee in objection to the application. Some of their points raised included:

- Elevated site that can be seen for miles around, this view should be protected for overall character.
- Referred to appeal decision in 2019 where inspector refused six houses due to significant harm to the area.
- Contrary to policies within the Local Plan.
- Concern regarding pedestrian and highway safety with lack of footpath provision to local facilities.
- Increase in traffic through Silver Street in what is already a very busy congested road with no footpath provision.
- Countless wildlife will be destroyed.
- Current housing commitment already greatly exceeded in South Petherton.
- Impact on local facilities with the Post Office and bank already closed.
- Site outside development area.
- Contrary to South Petherton neighbourhood plan.
- Flooding risks and the impact on the increase in surface water run-off.

A representative from South Petherton Parish Council addressed the committee. Some of his points raised included:

- Referred to speed surveys carried out with evidence of huge volumes of traffic already using the road. This development will only exacerbate these issues to an already congested area.
- Unacceptable safe access, rights of way and with lack of footpaths to local school and facilities will be a danger to pedestrians.
- Contrary to policy with a need to secure safe access for all.
- Site is of varying levels and would be impossible to achieve safe access.

Division member, Councillor Jo Roundell-Greene addressed the committee and voiced her objection to the application. She felt the access would scar Silver Street in what is a charming part and entrance to the village. She said it was contrary to policy EQ2, a danger to residents who would not be able to safely access amenities and felt it would not enhance the area in any way.

Division member, Councillor Adam Dance also addressed the committee. Some of his comments included:

- Raised concern regarding highway and pedestrian safety due to increase in traffic with cars always parked along Silver Street.
- Application was contrary to the South Petherton neighbourhood plan and questioned the validity of the plan.
- The site was prime agricultural land.
- Access located at the very narrow point of Silver Street.
- Concern regarding surface water run off that will impact flooding downstream.
- Noted Planning inspector had already turned down two previous appeals in this area.

The applicant addressed the committee, some of his points raised included:

- Application had been well considered and provides a mix of housing with 14 much needed affordable homes.
- Site was within a sustainable location.
- Highways consider the proposed staggered access acceptable.
- Proposal is in keeping with the local setting.
- Benefits of the scheme outweigh any harm with no planning reasons to refuse the application.
- Proposal is in accordance with planning policy and local plan.

In response to points of detail and questions raised by the public speakers, the Planning Officer clarified that:

- Referred to previous appeals and explained the reasoning behind each.
- Exact detail of water run-off prevention has yet to be agreed but that a condition is included to prevent surface water run-off.
- The LLFA have commented on flood prevention measures however this would be outlined in reserved matters stage but are happy this can be achieved.
- Acknowledged the site is in an elevated position but consider there is sufficient planting to shield site over time. He confirmed the application had not been reviewed by an external Landscape officer.

In response to questions from members the Planning officer and Lead Specialist also provided the following:

- Confirmed South Petherton had received housing growth within the planned period and exceeded the target allocation.
- Clarified the garage to be demolished and proposed footpaths.
- Clarified the location of the previous refused application in relation to the site.
- Explained the current position of the housing land supply and validity of the

status of neighbourhood plan with respect to the NPPF.

During members discussion some comments included:

- Raised concern regarding access and highway safety given the steep level of the site in what was already a very congested street.
- Felt the increase in traffic with little or no footpaths would be a danger to pedestrians and road users.
- Shared concerns regarding highway safety but understood there to be a similar access further down the road.
- Felt it was overdevelopment of a rural centre with the loss of much needed agricultural land.
- Proposal would be overbearing and not in keeping with the area in what was an elevated site that would be seen for miles around.
- Acknowledge concerns regarding highway safety, however noted that highways had raised no objection to the application.
- Felt there was a need to deliver homes and with no objections from statutory consultees could see no planning reason to refuse the application.

The Legal officer advised members that this was an outline application and that members should only consider the principle of development and access at this stage.

Following a further debate, Councillor Jenny Kenton then proposed and seconded by Councillor Sue Osborne to refuse the application for the following two reasons:

1. Highway Safety
2. Adverse impact on landscape and character of the area.

After taking further advice and clarification from the Planning Officer and Lead Specialist, members discussed the option to defer the application, to allow for further information and the review of the Landscape Visual Impact Assessment by a Landscape Officer and the presence of a Highways Officer to be present at the next possible Planning South Committee meeting.

Following this discussion Councillor Jenny Kenton in agreement with Councillor Sue Osborne withdrew the proposal to refuse the application.

It was then proposed by the Chair and seconded by Sue Osborne to defer the application to allow for further information regarding landscape and highways and the review of the Landscape Visual Impact Assessment by a Landscape Officer and the presence of a Highways Officer to be present at the next possible Planning South Committee meeting.

On being put to the vote, this was carried by 7 votes in favour, 0 against and 2 abstentions.

RESOLVED:

That planning application 22/02118/OUT for the demolition of single garage, and the erection of 40no dwellings (26 market & 14 affordable); considering access only, with all other matters reserved at Land West of Silver Street, South Petherton be DEFERRED, to allow for further information regarding landscape and highways and the review of the Landscape Visual Impact Assessment by a Landscape Officer and the presence of a Highways Officer to be present at the next possible Planning South Committee meeting.

(voting: 7 in favour, 0 against, 2 abstentions)

75 Appeal Decisions (for information) - Agenda Item 8

Members noted the planning appeals.

(The meeting ended at 6.07 pm)

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CHAIR