

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 26 March 2024 at 2.00 pm

Present:

Cllr Peter Seib (Chair)
Cllr Mike Best (Vice-Chair)

Cllr Steve Ashton
Cllr Tim Kerley
Cllr Evie Potts-Jones
Cllr Kevin Messenger

Cllr Henry Hobhouse
Cllr Sue Osborne (left 3.15pm)
Cllr Martin Wale

In attendance:

Cllr Tom Power

Other Members present remotely:

Cllr Nicola Clark
Cllr Oliver Patrick

Cllr Tony Lock

83 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Jason Baker, Andy Kendall, Jenny Kenton and Oliver Patrick.

It was noted Councillor Kevin Messenger was in attendance as a substitute for Councillor Oliver Patrick.

It was also noted Councillor Oliver Patrick was present online via Teams.

At the start of the meeting the Chair proposed Councillor Mike Best be Vice-Chair for the duration of the meeting. This was seconded by Councillor Steve Ashton and unanimously agreed by the committee.

84 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on 27 February 2024 be confirmed as a correct record.

85 Declarations of Interest - Agenda Item 3

Members of the Planning Committee – South present at the meeting have declared the following Other Registerable Interests in their capacity as a councillor of a Town or Parish Council or any other Local Authority:

Steve Ashton – Crewkerne Town Council, Hinton St George Parish Council and West & Middle Chinnock Parish Council.

Mike Best – Crewkerne Town Council

Tim Kerley – Somerton Town Council

Sue Osborne – Ilminster Town Council

Evie Potts-Jones – Yeovil Town Council

Peter Seib – Brympton Parish Council and Chilthorne Domer Parish Council

Councillor Sue Osborne declared an Other Registrable Interest for planning application 23/01649/FUL (Item 5) as she was one of the Division Members.

86 Public Question Time - Agenda Item 4

There were no questions from members of the public.

87 Planning Application 23/01649/FUL - Land North of Broadway Hill, Broadway Hill, Horton, Ilminster. - Agenda Item 5

The Planning Officer presented the application as detailed in the agenda report. She noted this was the resubmission of a previous application that was refused and she briefly reminded members of why the previous application had been refused. The current application before members for consideration proposed some changes to the layout to address previous concerns raised, and a number of further amendments had also been made. With the aid of a Powerpoint presentation she highlighted key elements of the proposal including:

- The amended layout including three areas of public open space.
- Key considerations:
 - Housing supply
 - Local character and landscape impact
 - Impact on amenity of adjacent properties
 - Highways and parking
 - Scale and access to services

- Phosphate mitigation

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

The applicant addressed the committee, and some of the points he made included:

- Some issues raised at the previous application had now been addressed.
- Reference to the latest housing land supply figure following recent appeals elsewhere.
- Proposed scheme was well designed, sensitive to context of the local area, and deliverable as per the NPPF.
- Horton was a sustainable location.
- There would be a net gain in biodiversity and other significant benefits.

The Planning Officer responded to questions and points of detail raised by members, including:

- Progress of an appeal lodged for the original application and clarification that it did not impact upon the consideration of the amended scheme. There was no requirement to await the appeal outcome before determining the application now before members.
- The current application needed to be considered on its own merits.
- Somerset Ecology Services had now confirmed they had no further comments following a walkover survey.
- Explanation of why facilities at Horton and Broadway had been considered together.
- Explanation of population figures used by policy.
- Detail about the requirements included in the archaeology condition (no.10).
- The LPA consider this to be a sustainable location and so no change in that respect from the original application.
- A request for an education contribution had been submitted. Which school any children would attend was not a matter for this committee.
- Drainage had been discussed at length with the LLFA and they were content it could be adequately dealt with. The relevant condition had been slightly reworded since the last application.

On hearing comments made, at the request of the Chair, the Specialist (Legal) provided advice about determination of the application. She noted that members could defer the application in order to receive more information, however, she advised against deferral to await the appeal decision of the originally submitted application.

During discussion mixed opinions were expressed and members sought advice and

clarification from the Planning Officer. Some of the points raised included:

- Need to consider this application in isolation.
- One of the reasons for refusal last time had now been addressed.
- If the S106 obligation can be agreed see no reason to refuse.
- There is a need for housing.
- Can see no housing need has been put forward by either parish.
- Feel application will change the area but seeing little reason to refuse.
- Surprised no one from the parish has asked to speak.
- Little public transport and Ilminster soon to lose its only bank.
- Feel previous refusal reasons 1 and 2 still stand. Redesigning the layout doesn't negate those reasons.
- This a rural settlement in the Local Plan and should be treated as such. Barely a sustainable location.
- Haven't heard anything which overcomes the objections of the previous application.
- Have a duty to consider the application in accordance with the Local Plan. The reasons for refusal last time has led to amendments and improvements in the layout.
- Concerned about sustainability. Access to services is difficult and reliant on use of a car.
- Have some concerns about the principle of development,

It was initially proposed by Councillor Sue Osborne and seconded by Councillor Martin Wale to refuse the application for reasons 1 and 2 of the original application, however on being put to the vote this was lost. The voting was 4 in favour, 4 against with 1 abstention – the Chairman then exercised his casting vote against refusal of the application).

The Chair then proposed, seconded by Councillor Steve Ashton, to approve the application subject to a Section 106 planning obligation and imposition of conditions, as per the officer recommendation detailed in the agenda report. On being put to the vote there were 4 votes in favour, 4 against with 1 abstention. The Chairman then exercised his casting vote in favour of approving the application.

RESOLVED:

That planning application 23/01649/FUL for the construction of 49 dwellings and formation of vehicular access at Land North of Broadway Hill, Broadway Hill, Horton, Ilminster 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: 4 in favour, 4 against, 1 abstention – the Chair then exercised his casting vote in favour of approving the application)

88 Planning Application 22/00180/OUT - Land Adjoining Wheathill Lane, Milborne Port. - Agenda Item 6

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

- This was an outline application to consider the principle of development and the access only at this stage.
- Indicative site layout and location plans including public footpaths.
- Details of the access to be agreed at this stage.
- Key considerations including:
 - Principle of development
 - Visual and residential amenity
 - Access and highway safety
 - Flooding and drainage
 - Ecology and phosphate mitigation
 - Archaeology and heritage
 - Broadband
 - Loss of agricultural land
 - Benefits

He highlighted that the potential for residential amenity impacts were minimal and mitigated. Regarding broadband – an informative was proposed as there was other legislation regarding requirements.

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

Division member, Councillor Nicola Clark, addressed the committee and noted that she and her fellow division member had had several discussions with the community regarding the application. She referred to the number of objections raised and commented that if the application were to be approved there should be monitoring to allay local fears, especially regarding drainage concerns. She also made reference to local public transport provision. The benefits of the proposal were noted including the provision of allotments and parking for the cemetery etc, but a robust planning obligation would be required to ensure local needs. She also mentioned the need for EV charging and broadband, and asked members to take careful consideration of Milborne Port's future.

The agent then addressed the committee and reinforced some elements of the officer report. Some of his points included:

- The location was effectively an infill site.
- Milborne Port was a sustainable location and on a public transport route.
- No objections from statutory consultees.
- Many of the local objections raised were from residents on Wheathill Way regarding highway safety or drainage, however Highways had no objection.
- The applicants were a local family and had discussed the proposal with the Parish Council from an early stage. The Parish Council had wanted allotments, an extension to the cemetery and a dog walking route away from the recreation ground, and these elements were included in the proposal. The number of dwellings had also been reduced as requested by the Parish Council.
- This application was an exemplar of working with the community.

The Planning Officer responded to questions and points of detail raised by members, including:

- Acknowledge comments regarding privacy for visitors to the cemetery. Details of the landscaping plan would be for the reserved matters stage.
- The additional benefits proposed would be included in the S106 planning obligation.
- Confirmation there would be a requirement for the developer to apply for a Traffic Regulation Order (TRO), however, there was no guarantee a TRO would be granted.

During a brief discussion several members expressed their support for the proposal, and some of the comments included:

- Impressed with the proposal and how the applicants and agent have worked with the community.
- As agent said this is an exemplar way of working.
- Commend the local engagement.
- Support the proposal as Milborne Port has several facilities.
- Note the Parish Council says it cautiously supports the application – am of the opinion we can condition for the objections raised.

At the conclusion of debate, it was proposed by Councillor Martin Wale and seconded by Councillor Evie Potts-Jones, to approve the application subject to a Section 106 planning obligation and imposition of conditions, as per the officer recommendation detailed in the agenda report. On being put to the vote, members were unanimous in favour of approval.

RESOLVED:

That planning application 22/00180/OUT for up to 58 dwellings, sustainable drainage infrastructure, new open space including allotments, parking area for neighbouring cemetery, landscaping and associated infrastructure with all matters reserved except for access at Land Adjoining Wheathill Lane, Milborne Port 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: Unanimous in favour)

89 Planning Application 23/03213/HOU - 6 The Meads, Milborne Port DT9 5DS - Agenda Item 7

This item had been withdrawn from the agenda prior to the meeting.

90 Planning Application 22/03341/FUL - Land Rear of Council Offices, Churchfields, High Street, Wincanton. - Agenda Item 8

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:

- The extent of the Conservation Area and location of listed buildings – noting no neighbouring listed buildings.
- Elevation and floor levels – been lowered slightly to reduce impact on immediate neighbours.
- Number of parking spaces proposed.
- New access for some parking spaces.
- Key considerations:
 - Parking / highways – parking provision falls below recommended requirement.
 - Impact on character and appearance of Conservation Area
 - Neighbour impact – as raised by Town Council and neighbour objections.

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

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

- his property was nearest to the proposed development however the officer

had not made any reference to this but had to other properties further away.

- There is a very old boundary wall bordering the site.
- Reference to the number of parking spaces being less than policy – felt this not been properly taken into account. Parking already bad in Wincanton.
- A site visit is needed to comprehend the proximity issues.

A representative for Wincanton Town Council addressed members and noted they had been very supportive of the original application for conversion of the office building to flats. However, this application felt like trying to squeeze in and insufficient consideration has been given to access and parking. He also referred to a significant mature tree that had been lost on the site due to excavations around it.

The agent then addressed the committee and some of his points included:

- No objections from statutory consultees.
- A large portion of the site was currently hard surface and this proposal provided an opportunity for landscaping and soft vegetation.
- No objection from Highways about parking, Policy allowed for a reduction in the optimum level of parking within a sustainable location.
- There would be local benefits including construction jobs, residents supporting local businesses and provision of new homes.
- Proposal would deliver high quality and much needed housing in a sustainable location.

The Planning Officer responded to comments raised by the public speakers and points of detail raised by members, including:

- Whilst an objectors dwelling was nearer to the site there was a degree of separation and no overlooking, whereas it was felt there was possibly more impact on other nearby dwellings as referred to in the agenda report.
- Further detail regarding loss of the mature tree.
- Acknowledgement that part of the application was retrospective and that the Planning Authority were unable to take any enforcement action until this current application had been determined.
- Further detail regarding the economic impact element.
- Clarity regarding wording in the NPPF.
- Acknowledgement of concerns about parking and that the parking provision proposed was less than policy requirements but Highways had not raised any objection.
- The parking to be provided in this application was for private parking only.
- The optimum parking requirement for this application would be 9 spaces.
- A condition was required for one EV charging point per dwelling.
- The parking spaces proposed for this application were not allocated to a specific property, but this could be conditioned if wished.

- Clarity regarding the change of parking provision relating to the original application for conversion to flats.

During debate several members expressed some concern about the application, including:

- Parking near the site was already limited.
- Parking could be a nightmare if get this wrong.
- If approved this would affect the provision of parking for the flats.
- Very concerned about the parking provisions – cannot see how parking will be adequate.
- Feels like overdevelopment of the site.
- To say adequate on-street parking nearby was not acceptable.
- No visitor parking proposed and would be a very low number of spaces to be provided between dwellings and flats.

Councill Henry Hobhouse proposed refusal of the application due to lack of adequate parking. During a short discussion Councillor Tim Kerley seconded the proposal but suggested if could add in about possible harm to the Conservation Area and the public benefit being diminished by creating additional parking issues.

The Chair adjourned the meeting for a few minutes in order that the proposer and seconder could formulate wording for the reason for refusal with planning officers and the Specialist (Legal).

On reconvening the meeting the Chair advised that the proposer and seconder had agreed to amend the wording of the reason slightly to the overdevelopment of the site would lead to a lack of car parking contrary to Policy TA5 and TA6 of the Local Plan. On being put to the vote the proposal to refuse the application was carried unanimously.

RESOLVED:

That planning application 22/03341/FUL for the erection of 4No. dwellings, alteration to parking layout and formation of new access at Land Rear of Council Offices, Churchfields, High Street, Wincanton be REFUSED permission, contrary to the officer recommendation, for the following reason:

01. The overdevelopment of the site will lead to a lack of car parking contrary to Policy TA5 and TA6 of the Local Plan.

(Voting: Unanimous in favour of refusal)

91 Appeal Decisions (for information) - Agenda Item 9

Members noted the planning appeal decisions.

(The meeting ended at 4.50 pm)

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CHAIR