

Minutes of a Meeting of the Planning and Transport Policy Sub-Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Thursday, 25 January 2024 at 2.00 pm

**Present:**

Cllr Ros Wyke (Chair)  
Cllr Theo Butt Philip  
Cllr Richard Wilkins

**In attendance:**

Cllr Mike Rigby

Cllr Sarah Wakefield

**Other Members present remotely:**

Cllr Dixie Darch  
Cllr Philip Ham  
Cllr Martin Lovell  
Cllr Oliver Patrick

Cllr Barry Clarke  
Cllr Marcus Kravis  
Cllr Dave Mansell

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

Apologies were received from Councillor Bill Revans, who was substituted by Councillor Theo Butt Philip and Councillor Dixie Darch, who attended online.

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

**RESOLVED** that the minutes of the Planning and Transport Policy Sub-Committee held on 19 December 2023 be confirmed as a correct record.

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

Councillors present at the meeting declared the following personal interests in their capacity as a Councillor of a Town or Parish Council or any other Local Authority:-

<b>SOMERSET COUNCILLOR</b>	<b>CITY, TOWN AND/OR PARISH COUNCIL</b>
Theo Butt Philip	Wells City Council
Richard Wilkins	Curry Rivel Parish Council
Ros Wyke	Westbury-sub-Mendip Parish Council

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

No submissions were received for Public Question Time.

**11 Planning and Transport Policy Sub-Committee Forward Plan - Agenda Item 5**

The Head of Planning, Alison Blom-Cooper, introduced the Forward Plan.

**Resolved** that the Planning and Transport Policy Sub-Committee noted the Forward Plan.

**12 Community Infrastructure Levy (CIL) relief policies - Agenda Item 6**

The Service Manager for Planning Policy, Nick Tait, introduced the report which provided a summary of the current position in respect of the Community Infrastructure (CIL) across Somerset Council and sought to provide a consistent approach in terms of any discretionary relief by setting out a single common policy and criteria to be used when assessing applications for the relief. It also delegated approval for applications for relief of up to £500,000 to the Head of Planning.

The Sub-Committee discussed the report and the following points were raised:-

- Councillors queried whether those areas outside of the CIL zone could be included.  
*The Service Manager advised that they could be included but that they would need to be added area by area, which would be best actioned once a single Local Plan had been adopted.*
- Councillors queried the application process.  
*The Service Manager gave clarification on the application process.*
- Councillors sought assurance that a uniform approach would be used for the viability studies as the Council had inherited five Local Plans from the former County and District Councils to be used as part of the application process.
- Councillors queried how many claims were likely to be submitted.  
*The Service Manager advised that in the former Sedgemoor District Council, they had received three of four claims in 2015, so they were rare.*

- Councillors queried whether there was a right of appeal in the application process.  
*The Service Manager advised that an appeal would be carried out through a Judicial Review.*
- Concern was raised that the policy felt that it either gave all or nothing as an award. Councillors further queried whether a percentage rate could be applied.  
*The Service Manager advised that the amount awarded would rely upon the viability study and the application.*
- Councillors requested that all decisions should be reported back to the Sub-Committee as an update report.
- Councillors queried the lack of an end date for the CIL funds which were ring-fenced for the tidal barrier, mentioned on page 26 of the report and were reluctant to approve without an end date being specified.  
*The Service Manager advised that the funding was in place until the barrier was delivered. He also advised that there would be a member briefing on CIL funding and information on the tidal barrier would be included.*

**Resolved** that the Planning and Transport Policy Sub-Committee:-

- a) approved the introduction of discretionary Social Housing Relief (SHR) for former SDC and SSDC areas and criteria for assessing discretionary SHR (Appendix 2).
- b) approved an Exceptional Circumstances Relief (ECR) policy applicable across all three charging areas as set out in Appendix 3, including criteria for assessing applications for relief.
- c) authorised the Head of Planning/Chief Planning Officer to give formal notice that the above reliefs are available in the former SDC, SSDC and TDBC areas from 25th January 2024 and the Council will begin accepting claims for such relief pursuant to the notification requirements of Regulations 49B and 56 of the Community Infrastructure Levy Regulations 2010.
- d) agreed that applications for CIL relief to the value of £500,000 and above shall be determined by the Planning and Transport Policy Sub-Committee.
- e) agreed that applications for CIL relief below the value of £500,000 shall be delegated to the Head of Planning/Chief Planning Officer in consultation with the lead Member for Economic Development, Planning and Assets (and would be reported back to the Sub-Committee in an update report).
- f) noted the current CIL infrastructure spending priorities and would consider priorities and requests for spend on specific schemes at a future meeting.

**13 Application for Exceptional Circumstances Relief - Cokerhurst Farm, Wembdon, Bridgwater - Agenda Item 7**

The Service Manager for Planning Policy, Nick Tait, introduced the report which sought approval for an application for Exceptional Circumstances Relief (ECR) for Cokerhurst Farm, Wembdon, Bridgwater.

The Sub-Committee discussed the report and the following points were raised:-

- Councillors queried at what point in the process would a request be submitted for CIL exception for the Sub-Committee to decide.  
*The Service Manager advised that the application would need to be assessed against the criteria first and then a request submitted to the Sub-Committee for decision. This application was received in October 2023, and then had to wait until this meeting for a decision.*
- Councillors further queried whether the CIL exception was required before or after Planning approval.  
*The Service Manager advised that the CIL exception was a Sub-Committee or delegated officer decision and not all applications would be discussed at Planning Committee. There were many different situations that could impact when an application was received.*
- Concern was raised on the impact on highway works and affordable housing deliverability.
- Councillors highlighted that a consistent approach was required going forward.
- Councillors requested clarification on the application process as they wanted to ensure it was correct for future applications and also to ensure that developers could not manipulate the process.  
*The Service Manager gave clarification on the process.*

**Resolved** that the Planning and Transport Policy Sub-Committee agreed:-

- a) that 50% CIL Exceptional Circumstances Relief for land at Cokerhurst Farm, South of Wembdon Hill and North of Quantock Road, Bridgwater (Planning Reference 51/19/00003) be approved.

#### **14 Wellington Station - Forward-funding of Access Road - Agenda Item 8**

The Principal Planning Policy Officer, Sarah Povall, introduced the report which proposed that Community Infrastructure Levy (CIL) funding was used to provide cashflow to finance the project which would be fully recovered from the development of sites surrounding the proposed new station.

The Sub-Committee discussed the report and the following points were raised:-

- Councillors queried whether the request was due to the developer being unable to guarantee the completion of the road in time for when the station would become operational.

*The Interim Service Director for Infrastructure and Transport advised that planning had not gone through yet and that normally the roads would be provided in a phased approach with the estate. However, the station needed the road to be completed by 2025 and there was no guarantee that the housing estate would be completed by that time.*

- Concern was raised that in other cases, the developer had complained about the roads.

*The Interim Service Director for Infrastructure and Transport advised that officers were working collaboratively with the developer.*

- Councillors queried whether the land had been acquired by National Rail.  
*The Interim Service Director for Infrastructure and Transport advised that the land for the station and platforms had been acquired by National Rail and that the mobility hub was owned by other parties.*

- Councillors queried the works on the haul road.

*The Interim Service Director for Infrastructure and Transport advised that the works would be by requirement or agreement only.*

- Concern was raised on allocations for other projects and the potential to ringfence.
- Councillors requested clarification on the CIL income and what had been included in the calculations.

*The Planning Policy and Implementation Service Manager gave clarification on the figures in the CIL income table.*

- Councillors queried the contributions made to the CIL income from housing developments in the Wellington area.

*The Planning Policy and Implementation Service Manager advised that Wellington was in a zero CIL zone, however, the surrounding areas were charged at a higher rate.*

**Resolved** that the Planning and Transport Policy Sub-Committee agreed:-

- a) The temporary use of Community Infrastructure Levy (CIL) funding, if required, to provide cashflow to allow the Council to deliver the access road to the station and associated infrastructure, which would be fully recovered from the development of sites surrounding the proposed new station.
- b) Agreement to the S106 and Heads of Terms for forward funding the access road and associated infrastructure was delegated to the Chief Planning Officer and Service Director for Infrastructure and Transport, in consultation with the Director for Legal Services.

**(The meeting ended at 3.25 pm)**

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**CHAIR**