Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 27 February 2024 at 2.00 pm

Present:

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

Cllr Steve Ashton
Cllr Henry Hobhouse
Cllr Jenny Kenton
Cllr Oliver Patrick (left 3.55pm)
Cllr Mike Best
Cllr Andy Kendall
Cllr Tim Kerley
Cllr Evie Potts-Jones

In attendance:

Cllr Tony Lock
Cllr Adam Dance
Cllr Jo Roundell Greene

76 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Sue Osborne, Jeny Snell and Martin Wale.

There were no substitute members present at the meeting.

77 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on 30th January 2024 be confirmed as a correct record.

78 Declarations of Interest - Agenda Item 3

Members of the Planning South Committee 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
Jason Baker – Chard Town Council
Mike Best – Crewkerne Town Council
Andy Kendall – Yeovil Town Council
Jenny Kenton – Chard Town Council
Tim Kerley – Somerton Town Council
Evie Potts-Jones – Yeovil Town Council
Peter Seib – Brympton Parish Council and Chilthorne Domer Parish Council

79 Public Question Time - Agenda Item 4

There were no questions from members of the public.

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

The Planning Officer presented the application as detailed in the agenda report and reminded members of the reason why the application had been deferred at the previous meeting of the committee. 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.
- Indicative site layout and location plans
- Proposed access to the site
- Location of the existing garage on Silver Street to be demolished to provide a footpath link between the site and Silver Street.
- Acknowledged the access would require a significant engineering solution and there would be a change to the street scene.
- Following the previous meeting of the committee, a landscape architect had reviewed the applicant's landscape visual impact assessment (LVIA) – and found that he agreed with the LVIA overall conclusion. The key points from the review were summarised to members.
- Reasons for the recommendation of approval and key considerations including:
    - Sustainable location
    - Lack of five-year housing land supply
    - No objections from the Highway Authority
    - A satisfactory phosphates solution had been agreed.
    - Key considerations - principle of development and the impact on the

character of the area.

- In order to secure access details, an additional condition had been added to the current agenda report to ensure further details are agreed at the reserved matters stage.

The application was recommended for approval subject to the 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:

- The proposal is contrary to the South Petherton Neighbourhood Plan and feel also against some policies in the Local Plan.
- Very little support locally for the application.
- Engineering required for the access through the bank would be major works, and the access would be an incongruous feature in the street scene of the area.
- There will be a significant change of view to everyone who lives on or uses Silver Street. There will be landscape harm that outweighs any benefits.
- Reference to nearby appeal decision of 2019 where the Inspector refused development of houses due to significant harm to the area.
- The proposed new path from the development to Silver Street will require steps and so will not be suitable for all users. The main alternative route would be to use Silver Street where there are no pavements.
- Reference to the gradients for access – little evidence in the applicants submission that the gradients required by Highways can be achieved.
- Question if the required visibility splays can be achieved at the carriageway edge due to gradients, parked cars and a nearby fence.
- Concerns about highway safety with the potential increase in traffic, speed, and the nature of the proposed access junction.
- The lack of information regarding access makes the application flawed. The proposal contravenes several policies in the Local Plan including EQ2 and EQ4.
- Loss of grade 2 agricultural land. The landscape on Silver Street and the wider area will be changed, the proposed development will cause demonstrable harm.
- There's a dwelling recently built further down the road and that applicant was advised their dwelling should not be built above the skyline to avoid damaging the landscape – so why is this outline application for development considered acceptable when it is sited on the ridge?
- This community have commissioned several reports by qualified experts all of which discredit this application.

A member of the public and the Landscape Architect for the applicant spoke in support of the application. Some of the points they raised included:

- Feel some of the comments raised at the previous meeting were misleading and to address some of those points:
    - There is no need for people to walk in the road as at the top of the hill there is a footpath that goes through to the doctors and hospital.
    - Cottages on Silver Street with access to the parking area all have doors at the first floor level so providing direct access.
    - With the indicative siting of dwellings together with the landscaping planned - do not feel the development will be very visible when approaching from Martock. Acknowledge site may be visible from some houses on Silver Street or Stoodham.
- Highlighted some aspects of the LVIA including:
    - The proposed dwellings set at a similar elevation to other developments in the village.
    - The proposed access and landscaping.
    - Not a designated landscape nor is it a valued landscape as per the NPPF.
    - Low density development.

A representative for South Petherton Parish Council addressed members, and some of the points she raised included:

- Full details of access are required. There is conflicting information about the proposed pedestrian access – both for the new path where the garage is to be demolished and at the new vehicle access. Due to gradients on site and in the neighbouring locality steps will be needed or multiple ramps, or alternatively use the road. The proposed pedestrian access is flawed and will cause stress and discomfort to many users and will not be accessible to all.
- The submitted plans lack sufficient detail. The flaws are significant and demonstrable.
- Ask that the application be refused on the grounds of sustainability and contravenes policy.

Division member, Councillor Jo Roundell Greene addressed the committee and referred to planning policies. She felt the Highways report was misleading and that the access needed to be looked at again. The proposed development of the site was contrary to the Neighbourhood Plan and also against policies in the Local Plan, and would be out of keeping with the local area.

Division member, Councillor Adam Dance thanked the public speakers for their comments and the depth of their objections. He felt the speakers in objection had provided a number of planning reasons to refuse the application. He also referred to

the parking provision to the rear of some of the properties on Silver Street and noted the elevation of the land in relation to those properties. There were several applications coming forward in South Petherton and this one was considered the most detrimental to the community. He asked members to support the local community and the Neighbourhood Plan and refuse the application.

The applicant addressed the committee and reminded members that this was an outline application considering access only and other matters were not for consideration at this stage. Some of the points he made included:

- New development was essential for sustaining communities.
- References made by speakers to an appeal on a different site was not relevant to this application.
- Images of pedestrians in the road were misleading as there were other pathways nearby.
- The garage to be demolished was used for storage only and would make way for a step free path that would comply with regulations.
- The perceived impact of development was localised. Long distant views of the site would be in context with the surrounding built environment.
- Highways had not raised any objection.
- The benefits of the scheme outweighed any perceived harm.

In response to points raised by the public speakers, the Planning Officer clarified:

- A condition had been added to the current agenda report to secure access details and to ensure further details are agreed at the reserved matters stage.
- Reiterated this was an outline application considering access only. All dwellings shown in the presentation were indicative only and were not for approval at this stage.

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

- Clarity about which aspects of the access to be agreed at this outline stage.
- Information about the staggered crossroads junction, traffic and pedestrian access.
- Full details of the new pedestrian path were for the reserved matters stage.
- The new pedestrian access was integral to the acceptability of the scheme.
- The opinion of the planning authority was that the demolition of the garage and changes to the street scene of Silver Street would not be so harmful as to warrant recommending refusal of the application.
- The garage to be demolished was not a listed building or heritage asset.

During discussion mixed views were raised. Some of the comments included:

- There is reference to loss of character regarding the bank and the access, but

feel demolition of the garage will cause a greater loss of character, and be harmful to the character of the street.

- The description of garage is misleading as it looks like more than a simple garage.
- CGIs of the new pathway in place of the garage would have been useful.
- There were many negatives about this application but few positives.
- People need affordable homes in this part of Somerset.
- Need to be clear what it will look it if the garage is demolished.
- Some of the comments raised by public speakers regarding policies were well made, but unfortunately also need to consider the lack of a five year land supply.
- Feel lacking solid planning reasons to refuse the application.
- Note there have been a number of social houses built recently in the South Petherton area.
- Concerned for cyclists and pedestrians at the proposed new junction.
- Don't consider demolition of the garage would be detrimental to the street scene.

At the conclusion of debate, it was proposed by the Chairman and seconded by Councillor Oliver Patrick, to approve the application subject to a Section 106 planning obligation and imposition of conditions, as per the officer recommendation detailed as in the agenda report.

On being put to the vote, there were 5 votes in favour, 5 against with no abstentions. The Chairman then exercised his casting vote in favour of approving the application.

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 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: 5 in favour, 5 against, 0 abstentions - the Chairman then exercised his casting vote in favour of approving the application)

81 Planning Application 23/02730/REM - Holly Tree Farm, Longstrings Lane, Crewkerne TA18 7EA - Agenda Item 6

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

- Principle of development had already been established at approval of the outline application.
- Site and location plans.
- Proposed elevation plans.
- Proposed heights, wrap around balconies and outside steps which if approved would require additional handrails.
- Proposed floor plans.
- Reasons for the recommendation of refusal and key considerations including:
    - Principle – accepted and established through outline planning permission.
    - Design, Scale and Layout - concerns regarding the quality proposed and the need to comply with planning policy and the NPPF. Believe the design to be unacceptable and out of keeping with the rural area and would cause unduly harm and prominence to the landscape. It was however noted the proposed scale of the buildings was smaller than permitted at outline.
    - Somerset Levels and Moors Ramsar – Phosphates – Scheme would be served by Package Treatment Plant and satisfies the small scale threshold and therefore acceptable,
    - Scheme has been amended to overcome previous reasons for refusal such as :
        - Amenity
        - Highways Safety
        - Drainage
        - Ecology

The application was recommended for refusal for the reasons as set out in the agenda report.

One member of the public addressed the committee in support of the application. Some of his points raised included:

- Voiced disappointment of the timescales involved in the determination of the application.
- Proposal of two dwellings meets that already approved at outline application.
- Scheme is now proposed to be less the overall footprint than that approved at the outline application.
- Compliant with all approved conditions.
- Will provide for multigenerational living and makes most use of the

environment.

- Located in lowest area of site and therefore cannot be seen apart from along some areas of Longstrings Lane.

The applicant addressed the committee. Some of the points he made included:

- Application had received a significant amount of local support.
- Scheme has already been permitted at the outline application stage.
- No objections had been received from statutory consultees.
- Law and guidance should allow self-build development to be built to the design and specification of the occupant.
- Believe the design statement to be relevant.
- Site surrounded by hedgerow and trees and therefore cannot be seen or impact the wider landscape.
- Crewkerne Town Council are in support of the application.
- The Council's current lack of five year housing land supply engages the titled balance.

In response to points raised by the public speakers, the Planning Officer accepted that design was subjective and acknowledged the frustration of the applicant in the delay in the determination of the application.

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

- Clarified that the previous South Somerset District Council Area West Committee had approved the outline application.
- Should members be minded to approve the application, a condition could be imposed regarding the details of the external staircase to officers to consider the design and impact etc. She noted there would be a requirement for structural supports and guard rail etc which would add additional bulk to the design of the building so would need to be considered.

During discussion several comments were made, some of these included:

- Noted on balance that Crewkerne Town Council were in support of the application along with the local residents.
- Satisfied that there would be no impact of overlooking.
- Acknowledged the frustrations regarding the length of time taken to determine the application.
- Design is subjective and therefore should appreciate the needs of the applicant and the aspirations of self build to help future proof and support multigenerational living.
- Consider the location to be well shielded by hedgerows and trees and therefore secluded from view.

- Acknowledge the concerns of the Planning officer but on balance believe the proposal to be acceptable.
- Believe the design to be incongruous to the area.

During a further discussion the majority of members expressed their support of the application and sought advice and clarification from the Planning Officer regarding suitable conditions to be imposed should they be minded to approve the application.

The Planning Officer advised that standard conditions were already applied to the approved outline application and that additional conditions should include:

- Approved plans
- Materials
- Details of external staircase
- Details of Boundary treatments
- Electrical vehicle charging points
- Foul drainage (PTP)
- Consumption of wholesome water

She also suggested that informatives regarding protective species, the public right of way and foul drainage be included.

Following a further discussion members voiced their support of the conditions and agreed the following reason to approve the application:

'The proposed development, by virtue of the design, layout, form, scale and massing is acceptable and would cause no significant impact on the landscape character and appearance of this rural area and does comply to the SSDC Local Plan 2006-2028'.

It was then proposed by Councillor Mike Best and seconded by the Chair, to approve the application, contrary to the officer recommendation, for the reason already stated and subject to the following conditions to include:

- Approved plans
- Materials
- Details of external staircase
- Details of Boundary treatments
- Electrical vehicle charging points
- Foul drainage (PTP)
- Consumption of wholesome water

Plus, informatives regarding protective species, the public right or way and foul drainage.

On being put to the vote, this was carried by 7 votes in favour, 2 against with no abstentions.

RESOLVED:

That planning application 23/02730/REM Reserved Matters application for approval of appearance, layout and scale of approval 19/02921/OUT for the erection of 2 dwellings at Holly Tree Farm, Longstrings Lane, Crewkerne TA18 7EA be APPROVED, contrary to the officer recommendation, for the following reason:
The proposed development, by virtue of the design, layout, form, scale and massing is acceptable and would cause no significant impact on the landscape character and appearance of this rural area and does comply to the SSDC Local Plan 2006-2028.

Subject to the following conditions to include:

- Approved plans
- Materials
- Details of external staircase
- Details of Boundary treatments
- Electrical vehicle charging points
- Foul drainage (PTP)
- Consumption of wholesome water

Plus, informatives regarding protective species, the public right of way and foul drainage.

Full wording to be delegated to officers.

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

82 Appeal Decisions (for information) - Agenda Item 7

Members noted the Planning Appeals.

(The meeting ended at 4.07 pm)

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CHAIR